



From the National Court

**MOTOR SPORTS COUNCIL NATIONAL COURT
SITTING TUESDAY 3rd October 2017**

David Munro (Chairman)
Peter Riches
John Felix

CASE No J2017/30

The National Court has considered an allegation that John Armstrong, a former Scottish Rally Champion, had committed an offence contrary to General Regulation C1.1.9, C1.1.4, A10.1.3 and A10.1.5 in that he bared his buttocks to an oncoming rally competitor on the Solway Coast Rally in August 2017.

The Court notes that Mr Armstrong admitted the allegation and apologised for what he accepted was offensive and inappropriate behaviour that was likely to bring motorsport into disrepute. The behaviour had been photographed and had been placed on social media by the photographer. The publication of the material makes matters more serious but the court accepts that Mr Armstrong had no control over the publication and did not consent to it. Whilst accepting Mr Armstrong's account that:-

1. There were no members of the public in the area, and
2. The vehicle was being driven at a non-competitive speed by a friend of his, and
3. That he was some distance from the car in question, and
4. That the photograph was intended as a private joke,

the Court views this type of behaviour as highly detrimental to the interests of motorsport and regards it as creating a real risk of danger.

It cannot be excused.

Mr Armstrong was acting as a marshal at the time and was under a duty to promote safety rather than to cause any risk to anyone.

Offences of this type must incur substantial penalties, and accordingly the court suspends Mr Armstrong's competition licence for a period of 6 months and orders that he makes a contribution towards costs of £1000.00

David Munro
CHAIRMAN