



Motorcycling South Australia Inc

Board Meeting – Monday 23 March 2015

AGENDA

Meeting Opened At: 6.56pm

Present: Brenton Matters, Phil Turnbull, Mick Potter, Roger Kessner, Dan Marsh

Apologies:

Minutes of Previous Meeting: Board – Monday 16 February 2015 confirmed.

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Next Board Meeting to be held on Monday 13 April 2015 commencing at 6.30pm



Business Arising From Minutes:

- 15.02.16.12 Quadriders SA appointed 2015 – remain open call for 2016 and beyond
- 15.02.16.13 Shannon Reimann appointed – memorandum to clubs

BOARD MEMBERS ACTIVITY REPORTS

EX15.03.23.1. Portfolio Reports

Discussion on revised allocations:

- Dan
- Limited time
 - **Road Race**
- Phil
- Personal issues limit time
 - **Speedway**
 - **Officials Review Panel**
 - **Dirt Track/Flat Track**
- Roger
- **Enduro**
 - **Industry**
 - **Club Development**
 - Discussion on how to achieve, with Roger to seek to work with Kate and the office on providing assistance to clubs on how to improvement their management
 - GM outlined investigations into Club Development Conference and webinar
- Mick
- **MX**
 - **Facilities**
 - Update provided on One Eighty Planning study

CHAIRMANS ITEMS

EX15.03.23.2. MA

Whole of Sport Review

- Progressing reasonably well
- Survey

Database meeting in SA to set action plan

- Daniel Gatt Motorcycling New South Wales
- Rick Gill, Motorcycling WA
- Rob Dunt, MA

Identified key impediments to going live.
Resource issues at MA. Major effect on the roll out, and importantly could impact on the Whole of Sport Review.

EX15.03.23.3. Review of Motorcycling SA Board

Combined discussion to incorporate portfolios.

Discussion on what it is to be a Board members.

Review documents to be distributed to all board members.

- Director Performance
- Board Performance
- Chairperson performance

Feedback to be provided by 3 April 2015

GENERAL MANAGERS ITEMS

EX15.03.23.4. Report

- Facilities
 - ACUSA Park
 - Discussion on barriers
 - Brenton stood down as Chair, further nominations to be sought from clubs
 - JDF
 - Still no lease signed.
- Incidents currently being 'managed'
 - Speedway – Sidewinders – D Reid
 - Apology to be made by President
 - Speedway – A Possingham
 - Resolved via mediation undertaken by SRA
 - Speedway – Watson – Grech
 - Explanation of alleged incident
 - Club failure to follow due process
 - Hearing now to be conducted
 - Club indicated that GM favouring Grech family
 - Parties suspended until hearing due to severity of incident
 - Club requested that GM not attend hearing
 -
 - MX – alleged assault at MRA
 - Resolved

EX15.03.23.5. FINANCIAL REPORT

Noted

Currently trending in accordance with budget

Ride numbers at ride days

Licence numbers ok, a number of new licence holders (first time)

GENERAL BUSINESS

EX15.03.23.6. Discipline Focus

MX

Ride days are proving popular, with large numbers at some venues.

Speedway

Sidewinders – Behaviour management

Moto Trials

Come n Try – 21 new riders – 60 participants.

GM to organise President to ride Come n Try bike

Road Race

Café Racer – access to AIR for start practice.

Reliability Trials

Issue of P plate riders – 24 hour – seeking advice from SA Government. Discussion.

Hoon legislation also discussed.

Quads

AORVA - update

EX15.03.23.7. MA Rule Changes

Given Whole of Sport Review, propose to request MA to put a hold on rule changes for 2015, unless specific safety, or administrative (Ridernet) priority can be demonstrated.

Proposed amendments by Committees attached.

Decision: GM to send MA response requesting deferment of rule change process unless safety/admin benefit. Proposed committee amendments supported if deferment not adopted by MA.

EX15.03.23.8. Kiara Ellis

Charity event - fundraising for Cancer Research

Propose support in principle.

Offer free permit for her to undertake.

Support via promotion

Decision: Motorcycling SA supports the event. Offer of free permit/rider levy to enable Kiara to undertake the event if needed.

EX15.03.23.9. Incident Hearing

Mick Potter declared a conflict of interest in being a friend of the accused and abstained for any comment or consideration

Brenton explained that the previous correspondence was an offer, and outlined the process to challenge. Reinforced position that no penalty had been yet applied.

The accused provided his side of events:

- Allegations incorrect;
- Blown out of proportion;
- Caused great deal of stress
- Alleged investigation not conducted thoroughly.
 - Question whether GM has personal relationship with complainant.
- Outlined other examples of situations with penalties (speedway).

Outlined lead up and incident

GM outlined the process of investigation is to determine whether a charge is to be laid, not to hear and determine the case. Discussion on bias during the investigation.

Discussion on the accused representation to others in the sport of a penalty that has not been applied.

Admission of physical contact with complainant due to feeling threatened.

Questioning by Directors as to specific information.

- Why didn't just walk away
 - Steve: Same applies to Jordan. Nothing personal against Jordan. Believes he has a serious chip on the shoulder.
 - Others have said they would have laid him out
 - Admitted that he swore "get out of the Fucking way"
 - Mention of Social media
 - Questioned when he put the complaint in. GM confirmed he had a call Sunday night.

Other persons invited in to provide their view:

Phone interview with Complainant

Difficulty for Board is to determine what happened, when disparate stories from either party.

Physical contact has been confirmed – including an admission by accused.

Discussion on what is a reasonable penalty. There needs to be a penalty, but it must fit the crime.

Action:

- **GM to seek input from identified party.**

Out of Session:

The Motorcycling SA Board makes the following finding of the alleged breach of Motorcycling Australia General Competition Rule 7.1.1.1.(j), Assaults any participant or spectator or any official exercising authority under these rules, for the incident:

- **The accused is guilty of the offence (as pleaded) in that physical contact was made between himself and the complainant;**
- **The severity of the contact is unable to be conclusively determined. The majority of evidence would suggest the action was that of a push rather than a punch, aside from**

the claim of the complainant. In the absence of conclusive evidence the Board deems the contact to be of a minor nature.

- The complainant had no need to confront the accused over the incident and in doing so, created and exacerbated the situation that resulted in the physical contact.
- The manner of the complainant's verbal exchange and physical presence is consider a major contributing factor to the escalation of the situation.

Determination:

- That the accused be suspended as a rider and official for a period until 3 months from the date of the incident (8 February 2015). The accused would be able to resume riding and officiating from 9 May 2015.
- That it takes two parties to create an incident, and on that basis, the complainant be advised of his responsibilities in terms of the Motorcycling Australia General Competition Rules, particularly the need to ensure he does not breach 7.1.1.1.(c) "behaves in an offensive or abusive manner toward any competitor or any official exercising authority under these Rules"

Approved by Board. Letters to be sent to both parties.

EX15.03.23.10. Green Triangle Enduro Club

Has been send to clubs for advice.
Initial response has been positive.
Full time period for response has not yet passed.
Members seeking to use their club for licence purposes

Recommendation:
Accept application of Green Triangle Enduro Club for affiliation.
Enable acceptance of licence applications from members

Decision: Approved

EX15.03.23.11. Beyondblue

Awareness program, with support of charity through collection tins.
All state title events in 2015 to display awareness materials, and collection tins.

Decision: The Board fully support this initiative.

OTHER BUSINESS

EX15.03.23.12. Follow up of false licence declaration at MA event

Discussion on MA process

Action: GM to follow up outcome

CORRESPONDENCE

Closed: 10.47pm

Out of Session:

Junior Development Facility

Final lease distributed.

Recommendation:

That Board approve GM entering the lease, and approve the application of the seal to execute the documents.

Decision: Approved.