



MOTORSPORT UK NATIONAL COURT

David Munro (Chair)

David Scott

Kevin Witton

ORANGE RACING POWERED BY JMH

JUDICIAL APPEAL

Case No: J2025/13

Ms Sian Woolley and Mr Nick Bamber appeared on behalf of Motorsport UK

The Appellant was represented by Mr Paul Gilroy KC, instructed by Beyond Corporate

Mr Jason Hughes attended on behalf of the Appellant

Ms Alison Rocca attended on behalf Beyond Corporate

1. This matter comes before the National Court by way of an Appeal against two decisions of the Stewards of the British GT Championship at Donington Park on 6th April 2025.
2. At the end of the race all cars were subject to parc fermé conditions.
3. Article 49.1 of the British GT Championship Sporting and Technical Regulations 2025 (CSTRs) provides that “only those Officials responsible for supervision may enter parc fermé. No intervention of any kind is allowed while the cars are under parc fermé conditions unless authorised by such Officials”.
4. The essential facts of the case are not in dispute. Car 67, driven by Marcus Clutton and entered by Orange Racing by JMH had been lawfully parked in the Team’s pit garage, and was subject to parc fermé conditions.
5. The team were anxious to pack up and clear the pit garage as soon as possible and the car was then pushed forwards approximately 2 meters by two junior members of the team to enable them to have space in which to pack equipment. This was observed by the Pit Lane Supervisor but had been done without authorisation. The matter was reported to the Clerk of the Course who then referred the matter to the Stewards who, after a hearing, found that there had been a breach of Article 49.1 and disqualified Car 67 from the race. This resulted in the present appeal to the National Court.
6. The matters appealed against are the Stewards decisions that (1) that there had, in fact, been a breach of Article 49.1, and (2) that the penalty of disqualification imposed for the breach was wholly inappropriate for the breach of the regulations.

7. A central issue was the question of what amounts to an “intervention”, a term which was not clarified by the CSTRs themselves.
8. It is accepted by the Court that the car was simply pushed forward and video evidence, which was not seen by the Stewards when making their decision, shows the actions of the team members with clarity, it was simply a push. The appellants accept that it had not been authorised as required by Article 49.1.
9. The Race Director and Clerk of the Course was Peter Daly who had published the “Driver’s Briefing Notes” on the Noticeboard.
10. Within the Briefing Notes and clearly stated in bold type and underlined was the following injunction:

“All cars are to be in parc fermé conditions – No team members to touch cars unless accompanied by an Official”.
11. The Court is satisfied that this note was part an official document within the meaning of the CSTR Article 3.1. which states:

“It is the Entrants obligation to ensure that all persons concerned with the entry observe all the requirements of the official documents.”
12. NCR Ch.3, App.10, Art.1.c refers to “any official instructions which may be issued in writing by organisers to competitors to deal with particular points arising after the issue of regulations...” as having the status of official documents.
13. In considering Article 49.1 the court has concluded that the word “intervention” should be given its ordinary everyday meaning, but that this should be viewed in the light of the Race Directors clarification that no team members were to touch cars unless accompanied by an official.
14. Viewed in this light, the Court concludes that on the balance of probabilities that there was a breach of Article 49.1.
15. This appeal is brought firstly on the basis that the stewards had erred in finding that Article 49.1 had been breached. It follows that this part of the appeal therefore fails.
16. There is however a second limb to the appeal, in that the Appellants claim that the Steward’s Decision to disqualify Car 67 was wholly inappropriate for the breach of the regulation.
17. The Court has given this limb of the appeal considerable thought. It is obviously essential that parc fermé conditions are complied with by all competitors to ensure the fairness of the competition and to ensure technical compliance of the cars. It is the case that strict penalties will usually follow any breach.

18. In the great majority of cases, it is accepted that the penalty of disqualification is entirely appropriate, but in the present case the Court comes to the conclusion that simply pushing the car a matter of 2 meters under the surveillance of the camera and within the view of the Pit Lane Supervisor, means that the court can exceptionally take a different view and the penalty of disqualification is quashed. The results of the race must be amended and republished accordingly.
19. A fine of £10,000 is imposed in lieu of disqualification and the Appellants must pay a contribution towards costs of £5,000. Payment is to be made within 7 days.
20. The Court makes no other orders as to costs.

David Munro

Chair

02 June 2025