



## **JAMAICA MILLENNIUM MOTORING CLUB**

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February 12, 2019

JMMC Competition Subcommittee disciplinary hearing. January 8, 2019.

**Panel:** Stephen Gunter, Monique Gibbs, Thomas Hall.

**Incident:** Use of a "human cone" during a non-scheduled "demonstration" at event Team Streetz Dexterity #5 "Grand Finale" on December 9, 2018 under JMMC Permit #2018-30.

### **Evidence:**

- \* Written reports received from Clerk of the Course and Chief Steward.
- \* Three videos received from various persons who attended the event.
- \* Phone call made to Warren Lamey, Clerk of the Course.
- \* Phone call made to Christopher James, event Organizer, also Starter.
- \* Phone call made to Daign Skeene, event Marshal, also Starter.
- \* Phone call made to Joel Jackson, competitor.

\* Mr. Lamey reported that he had no part in organizing the demonstration and had no prior knowledge of the use of a human cone. He was performing duty as Announcer at the time of the incident. He intervened and stopped the demonstration once he was made aware of the incident. He was aware of a similar circumstance that occurred during a non-sanctioned event in summer of 2018 and its TV news coverage. It was further found that the Clerk of the Course conducting the duties of Event Announcer significantly contributed to the Clerk of the Course being unsighted of the area of activity and unaware of the safety breeches being committed.

\* Mr. James reported that he had no part in organizing the demonstration and had no prior knowledge of the use of a human cone. He was aware of a similar circumstance that occurred during a non-sanctioned event in summer of 2018 and its TV news coverage.

\* Mr. Skeen reported that he organized the demonstration, as a tribute to a friend who had recently died. Taking a "selfie" with a car doing "donuts" around him was a planned part of the demonstration. He did not inform any official of the "selfie" idea. He recruited three drivers to participate in the demonstration, and originally intended for it to occur after the conclusion of the sanctioned event. Demonstration was instead conducted during lunch break after second round of competition. Two safety cones were placed on the skid pad area for cars to do donuts around; Mr. Skeen removed one of the cones in order for the cars to do donuts around him. Mr. Skeen apologized to the CS panel for the entire incident, explaining that he was caught up in the moment. He was aware of a similar circumstance that occurred during a non-sanctioned event in summer of 2018 and its TV news coverage.

### **JMMC Executive Committee: 2018–2020**

**Chairman:** Stephen Gunter; **Vice Chairman:** Marcia Dawes; **Exec. Secretary:** Wendy Dressekie-Gordon; **Treasurer:** Tiffany Bryan

**Directors:** Dmitri Dawkins; Michael Fennell; Monique Gibbs; Neil Williams; Peter Clarke; Rajendra Jadusingh; Rosemarie Jadusingh; Timothy Stewart

\* Mr. Jackson reported that he was asked by Mr. Skeen to participate in a demonstration as tribute to the deceased friend. He was not informed about the use of a human cone. He did not think to stop participation once on the course and realized that a human cone was being used; explanation being that he was participating in a JMMC sanctioned event and presumed that all activity had been authorized. He was aware of a similar circumstance that occurred during a non-sanctioned event in Summer of 2018 and its TV news coverage; however he thought the issue was due to a lack of sanctioning, not the use of a human cone.

Panel agrees with the following order of culpability.

1. Mr. Daigh Skeene, as sole planner and organizer of the demonstration, and as the human cone himself.
2. Clerk of Course, who was not in good view of the demonstration, thereby allowing it to proceed longer before action was taken.
3. The three drivers who participated in the demonstration.

The following are relevant regulations from the FIA International Sporting Code.

**1.3.1** Any person, or group of persons, organising a Competition or taking part therein:

**1.3.1.a** Shall be deemed to be acquainted with the statutes and regulations of the FIA and the national regulations.

**1.3.1.b** Shall undertake to submit themselves without reserve to the above and to the decisions of the sporting authority and to the consequences resulting therefrom.

**2.1.1.a** All Competitions conducted in a country represented within the FIA are governed by the Code.

**12.1.1** Any of the following offences, in addition to any offences specifically referred to previously, shall be deemed to be a breach of these rules:

**12.1.1.c** Any fraudulent conduct or any act prejudicial to the interests of any Competition or to the interests of motor sport generally.

**12.1.1.h** Any unsafe act or failure to take reasonable measures, thus resulting in an unsafe situation.

**12.1.2** Unless stated otherwise, offences or infringements are punishable, whether they were committed intentionally or through negligence.

**12.1.5** The statutory limitation on the prosecution of infringements is five years.

**12.2.1** Any breach of the Code, of the national rules or their appendices, or of any Supplementary Regulations committed by any Organiser, official, Competitor, Driver, Participant, other licence-holder, or other person or organisation may be penalised or fined.

**12.2.2** Penalties or fines may be inflicted by the stewards and ASNs as indicated in the following Articles.

**12.3.1** Penalties may be inflicted as follows:

**12.3.1.a** reprimand (blame);

**12.3.1.b** fine;

**12.3.4** Any one of the above penalties can only be inflicted after consideration of the evidence available and, in case of one of the last three, the party concerned must be summoned to give them the opportunity of presenting their defence. (n.b. Penalties listed are first two in scale of penalties allowed).

**12.3.5.b** These penalties may, where applicable, be cumulated or applied with suspension of sentence.

**12.4.1** A fine may be inflicted on any Competitor and also on any Driver, Passenger, person or organisation as mentioned in Article 12.2.1 of the Code who does not comply with the requirements of any regulations or with any instruction of the officials of the Event.

The JMMC CS finds that the behaviour of the use of a “human cone” as outlined constitutes “act(s) prejudicial to the interests of any Competition or to the interests of motor sport generally” as well as “words, deeds or writings that have caused moral injury or loss to the FIA, its bodies, its members or its executive officers.” and “unsafe act(s) or failure to take reasonable measures, thus resulting in an unsafe situation.”

As such, and under the authority as outlined in the FIA Articles listed above, the JMMC CS hereby order the following Penalties be inflicted and actions taken.

Mr. Daign Skeene. Reprimand (with blame), \$10,000 fine, six month probation period.

Clerk of the Course, Mr. Warren Lamey. Reprimand (w/o blame).

Drivers:

Joel Jackson, Reprimand (w/o blame), six month probation period.

Stephen Silvera, (Reprimand (w/o blame).

Matthew Titus, (Reprimand (w/o blame).

Organizer: Team Streetz, having previously been advised by the JMMC in letter dated September 2, 2018 of our recommendation that Clerk of the Course and Commentary duties be kept separate, be hereby notified that no future event ASR will receive JMMC sanctioning if such a combination of duties is planned.