

# CONSTITUENT BODY SHORT JUDGMENT FORM

Constituent Body	Nottinghamshire, Lincolnshire & Derbyshire	
Case number	Click here to enter text.	Select: <input checked="" type="checkbox"/> Red Card <input type="checkbox"/> Citing <input type="checkbox"/> Other

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## PARTICULARS OF OFFENCE

Player's surname	Sykes	Date of birth	Click here to enter text.
Forename(s)	Mick	RFU ID #	Click here to enter text.
Club name	East Retford RFC	Date of match	Saturday 26 <sup>th</sup> January 2019
Offence & Law charged (e.g. 9.12 - strike with head)	9.13 - A player must not tackle an opponent early, late or dangerously.	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not Admitted
Home team	East Retford	Away team	Boston
Home team level*	1 <sup>st</sup> XV	Away team level*	1 <sup>st</sup> XV

**\*TEAM LEVEL REFERS TO 1ST XV, 2ND XV, COLTS, VETS, etc NOT WHOLE CLUB LEVEL**

## HEARING DETAILS

Hearing date	Thursday 7 <sup>th</sup> February, 2019	Hearing venue	Kelham Hall, Newark
Chairman	Matthew O'Grady	Secretary	Andrew Statham
Panel member 1	Nic Corrigan	Panel member 2	Click here to enter text.
Decision	<input type="checkbox"/> Proven <input checked="" type="checkbox"/> Not Proven		

## CASE SUMMARY & SANCTION

**NOTE: UNDER RFU REGULATION 19.5.2, PLAYERS ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING**

Total sanction	Red Card Dismissed	Entry Point	N/A
Banned from	N/A	Banned to	N/A
Ban split from	N/A	Ban split to	N/A
Free to play	N/A	Costs	N/A

**NOTE: SANCTION IN MATCHES FOR AGE GRADE ONLY**

**NOTE: FOR SENDING OFF SUFFICIENT STATE UNDER TOTAL SANCTION**

Signature (Chairman)	Matthew O'Grady	Date	Friday 8 <sup>th</sup> February, 2019
Signature (Secretary)	Andrew Statham	Date entered to GMS	Click here to enter text.

PLEASE TICK APPROPRIATE BOX:  Intentional/deliberate 19.11.8(a)  Reckless 19.11.8(b)

Gravity of player's actions 19.11.8(c)		Nature of actions 19.11.8(d)	
N/A		N/A	
Existence of provocation 19.11.8(e)		Whether player retaliated 19.11.8(f)	
N/A		N/A	
Self-defence 19.11.8(g)		Effect on victim 19.11.8(h)	
N/A		N/A	
Effect on match 19.11.8(i)		Vulnerability of victim 19.11.8(j)	
N/A		N/A	
Level of participation/premeditation 19.11.8(k)		Conduct completed/attempted 19.11.8(L)	
N/A		N/A	
Other features of player's conduct 19.11.8(m)			
N/A			
Entry point number	Top end* Enter here	Mid-Range Enter here	Low End

**NOTE: STATE NUMBER OF WEEKS OR MATCHES ENTRY POINT FOR OFFENCE – ENTRY POINT IN MATCHES FOR AGE GRADE ONLY**

\*If top end, the Panel should identify an entry point between the top end and the maximum sanction (19.11.9) as set out in Appendix 2

In making the above assessment, the Panel should consider the RFU guidance (Note 2) set out in Appendix 5 (page 366) to Regulation 19. Significant weight should be given to RFU regulation 19.11.8(a), 19.11.8(h) and 19.11.8(i).

N/A

**AGGRAVATING FACTORS (REGULATION 19.11.10)**

Player's status as an offender of the Laws of the game 19.11.10(a)

N/A

Need for deterrent 19.11.10(b)

N/A

Any other off-field aggravating factors 19.11.10(c)

N/A

Number added on:

N/A

**NOTE: AGGRAVATING IN MATCHES FOR AGE GRADE ONLY**

Acknowledgement of guilt 19.11.11(a)	Player's disciplinary record/good character 19.11.11(b)
N/A	N/A
Youth & inexperience of player 19.11.11(c)	Conduct prior to and at hearing 19.11.11(d)
N/A	N/A
Remorse & timing of remorse 19.11.11(e)	Other off-field mitigation 19.11.11(f)
N/A	N/A

Number deducted:

N/A

**NOTE: SUBJECT TO REGULATION 19.11.13, A DISCIPLINARY PANEL CANNOT APPLY A GREATER REDUCTION THAN 50% OF THE RELEVANT ENTRY POINT SUSPENSION**

**NOTE: MITIGATING IN MATCHES FOR AGE GRADE ONLY**

### ANY OTHER INFORMATION

The Player had to prove on the balance of probabilities that the Referee was wrong to issue a red card. We were satisfied the Player did execute a reckless tackle after being stepped. He failed to grasp and his body position was upright. His tackling technique was poor on this occasion. This was shown with the visual image, which was consistent with a failure to attempt to grasp. This was an act of foul play. There was no contact above the shoulders. The tackle was not high under Law 9.13 and therefore we were satisfied the red card threshold was not met. We therefore concluded that the red card should be dismissed. In dismissing the red card there is to be no criticism of the Referee. We had the advantage of reviewing, what was an instant and dynamic situation, over a period of time and forensically. The Referee had just a split second. The Referee was clearly right in seeing foul play. Our conclusion was that a red card was wrong and that it justified a yellow card or penalty only. The Panel is grateful for the Referee giving his time to assist the Panel.