

# 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	Trembling	Date of birth	Click here to enter text.
Forename(s)	Ben	RFU ID #	Click here to enter text.
Club name	Derby RFC	Date of match	Saturday 26 <sup>th</sup> January, 2019
Offence & Law charged <i>(e.g. 9.12 - strike with head)</i>	9.12 - Striking with hand or arm (including stiff-arm tackle)	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Home team	Bridgnorth RFC	Away team	Derby RFC
Home team level*	2 <sup>nd</sup> XV	Away team level*	2 <sup>nd</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	Timothy Bembridge	Panel member 2	Nic Corrigan
Decision	<input checked="" type="checkbox"/> Proven <input 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	3 weeks	Entry Point	Mid-Range
Banned from	Saturday 26 <sup>th</sup> January, 2019	Banned to	Saturday 16 <sup>th</sup> February, 2019
Ban split from	N/A	Ban split to	N/A
Free to play	Sunday 17 <sup>th</sup> February, 2019	Costs	£30

**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)		
Punches to the head.	One of two players on the floor throwing punches.		
Existence of provocation 19.11.8(e)	Whether player retaliated 19.11.8(f)		
N/A	Player had been punched himself. The Player suffered injury under his eye from the punches he received. He had to go to Accident & Emergency himself for his own injuries.		
Self-defence 19.11.8(g)	Effect on victim 19.11.8(h)		
N/A	No evidence of injury.		
Effect on match 19.11.8(i)	Vulnerability of victim 19.11.8(j)		
Brief fracas and the game resumed.	Like the Player, the victim was on the floor.		
Level of participation/premeditation 19.11.8(k)	Conduct completed/attempted 19.11.8(L)		
The Player was the only one of his team involved in the incident.	Completed.		
Other features of player's conduct 19.11.8(m)			
N/A			
Entry point number	Top end* Enter here	Mid-Range 6 weeks	Low End Enter here

**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).

Mandatory minimum Mid-Range entry point. Top-End not justified.

**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)
Early acceptance of responsibility.	Excellent record, now lost.
Youth & inexperience of player 19.11.11(c)	Conduct prior to and at hearing 19.11.11(d)
Young player.	Excellent conduct at the hearing. He was a credit to his club.
Remorse & timing of remorse 19.11.11(e)	Other off-field mitigation 19.11.11(f)
Early acceptance of responsibility and apologised after the game.	N/A

Number deducted:

3 weeks

**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 raised no preliminary issues or objections to the Panel. The club representative objected to the Player having to answer a disciplinary panel (including having to answer whether he admitted or denied the charge to the Panel directly) because the club had dealt with the issue appropriately. The objections were not, however, relevant preliminary issues and they, nor the way they were expressed, assisted the Player. The representative was unfamiliar with Reg 19.5.2 and the Panel sought to assist him by reminding him of it: "A Player ordered off or cited by a Citing Commissioner may not take part or be selected for any match until his case has been dealt with by an RFU or Constituent Body Disciplinary Panel." Appearing before the Panel was to the Player's benefit as, having heard from the Player directly, the Panel found the appropriate suspension to be 3 weeks due to full 50% mitigation being present, whereas his club had suspended him for 4 weeks.