



NOTTINGHAMSHIRE, LINCOLNSHIRE & DERBYSHIRE
RUGBY FOOTBALL UNION

DISCIPLINARY DECISION

Professionalism • Transparency • Fairness • Integrity • Consistency

JUDGMENT OF THE PANEL

Venue: Newark RUFC

Date: Tuesday 25th June, 2019

Club: Mansfield RUFC ('the Club')

Panel: Matthew O'Grady, Chairman
Andrew Stout
David Chamberlin

Secretary: Andrew Statham, NLD Disciplinary Secretary

Attending: Andy Foster (Club Chairman)
Pete Seffen (Club Captain)
Alistair McFarlane (Club Treasurer)
Martin Troupe (Club Disciplinary Officer)

Observing: Mike Waplinton (RFU Council Member for NLD RFU)
Chris Johnson (NLD Youth Disciplinary Secretary)

Preliminary Issues

1. There were no objections to the composition of the Panel.

Charge

2. The Club was charged with an offence under Rule 5.12 for conduct which was prejudicial to the interests of the Union or the Game, namely a breach of Regulation 19.3.1 (bad disciplinary record).

Particulars

3. In the 2018-2019 season the Club appeared before a Disciplinary Panel on five or more separate occasions:
 - a) A Young Player, 'X';
 - b) Darren Topliss;
 - c) Andrew Blythe;
 - d) Andy Kinta;
 - e) A Young Player, 'Y';
 - f) A Young Player, 'Z'; and
 - g) The Officers of the Club.

Plea

4. Through Mr. Foster the Club admitted the charge.

The Evidence

5. A summary of the appearances is as follows:

Name	Offence Date	Hearing Date	Offence	Sanction
X	22/10/18	24/10/18	9.12 Punching	1 match
Darren Topliss	24/11/18	05/12/18	9.28 Failure to respect authority of a Match Official	5 weeks
Andrew Blythe	24/11/18	05/12/18	9.28 Failure to respect authority of a Match Official	4 weeks
Andy Kinta	12/01/19	18/01/19	9.12 Punching	1 week
Y	17/03/19	21/03/19	9.12 Tripping	1 match
Z	17/03/19	21/03/19	9.28 Abuse of Match Official	2 matches

Club Officers	16/02/19	25/06/19	5.12 Abandoned Match	Reprimand and suspended fine
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Submissions by the Club

6. On behalf of the Club, Mr. Foster accepted the Club's record this season was poor, although struggled to identify the reason for that. In mitigation, it was argued that the Club had recently recruited a number of players to its junior sides, who had previously played football, and they were adjusting to the values of the Game. Additionally, he explained that the Club has recently recruited a number of players from another local club, which folded, and it has taken time to align the attitudes of some of those new players to the Club's values. The Panel considered the steps the Club had taken to reinforce the importance of discipline, which included its welcome pack and signs posted around the Club. In respect of the junior section, the Panel was told that there was an attempt to get the young players to 'self-regulate' and discipline themselves. There is an obvious question as to whether or not the approach so far has been successful.
7. We heard about the importance of the Club to the local community, that it is a Club of diverse cultures and socio-economic and personal backgrounds. Mr. Foster argued that the punishment the Club received should not be so harsh as to do damage to the Club's role in the community.

Sanction

8. By any measure this Club's disciplinary record is poor and the efforts taken so far this season to address the disciplinary issue have sadly, but evidently, been unsuccessful. Indeed, this Club's record is the equal worst (in terms of number of appearances) of all the clubs that make up the three counties of this Constituent Body. That one of the seven appearance is for a cumulative loss of team discipline (an abandoned game) speaks to the serious nature of the disciplinary issue that must be addressed. The disciplinary issues at youth level are particularly concerning.
9. Discipline is a fundamental core value of the Game and it underpins all aspects of the Game. A clear deterrent from persistent disciplinary issues and an incentive to take proactive steps to address the issue is required. It appears that a whole club approach is necessary and the sanction must reflect the responsibility of all members of the Club to address the problem.
10. The sanction imposed on the Club is follows:
 - a) The Club's 1st XV have 5 League points deducted for the 2019-2020 season.
 - b) This deduction shall be suspended until the end of the 2019-2020 season and shall be activated only if there is an offence of the same kind during that season (namely, five or more separate appearances before a Disciplinary Panel at any level).

- c) Before the start of the 2019-2020 season the Club must remind all players at all levels of the importance of discipline. Noting that there were three red cards for young people, this is especially important for its Juniors sides.
11. Should the Club be found to have committed the same offence next season it, and its members and players, must know that the consequence for its 1st team will not only be the activation of the 5 point deduction, but also probably the imposition of an additional penalty on top of the 5 point deduction. It should be obvious, but will be stated for the avoidance of doubt, that the deduction may well cost the 1st XV promotion or relegation in a tight season.
12. If this situation occurs again, it will have meant that a suspended punishment will have been an insufficient motivator to bring about a change and the Club may have left itself few options other than a more significant penalty than a suspended 5 point deduction alongside the activation of this 5 point deduction.

Costs

13. The Club shall pay costs to NLD RFU of £30.

Appeal

14. There is a right to appeal against this decision. Any such appeal must be made within 14 days of this judgment being sent.

Matthew O'Grady
Chairman, for and on behalf of the Panel