



NOTTINGHAMSHIRE, LINCOLNSHIRE & DERBYSHIRE  
RUGBY FOOTBALL UNION

DISCIPLINARY DECISION

*Professionalism • Transparency • Fairness • Integrity • Consistency*

**JUDGMENT OF THE PANEL**

<b>Venue:</b>	Papers
<b>Date:</b>	Thursday 18 <sup>th</sup> July, 2019
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<b>Club:</b>	Keyworth RFC ('Keyworth')
<b>Keyworth Replacement:</b>	David Winstanley ('the Player')
<b>Keyworth Spectator:</b>	David Wayman ('the Spectator')
<b>Match:</b>	Keyworth RFC 1 <sup>st</sup> XV v Nottinghamians RFC 1 <sup>st</sup> XV
<b>Match Date:</b>	Saturday 22 <sup>nd</sup> December, 2018
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<b>Panel:</b>	Matthew O'Grady, Chairman Andrew Stout Michael Hilton
<b>Secretary:</b>	Andrew Statham, NLD Disciplinary Secretary
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**Preliminary Issues**

1. There was no objection to the composition of the Panel. These charges were dealt with on papers. For the full context of this decision please consider *NLD RFU v Keyworth, Nottinghamians, Mee & Muston*.

## **Charges and Pleas**

2. Both the Player and the Spectator were charged with conduct prejudicial to the interests of the Game or Union contrary to Rule 5.12. The particulars of the charge against the Player were:

“In the Nottingham Junior Vase game between Keyworth and Nottinghamians played on Saturday 22nd December 2018, you entered the field of play and got involved in the on field brawl that had broken out between both teams 30 minutes into the second half.”

3. The Player admitted the charge.
4. The Spectator is charged as follows:

“In the Nottingham Junior Vase game between Keyworth and Nottinghamians played on Saturday 22nd December 2018, you entered the field of play whilst an on field brawl had broken out between both teams 30 minutes into the second half.”

5. The Spectator admitted the charge.

## **Submissions**

6. Mr. Kevin Price, the Keyworth Chairman, submitted the following in mitigation:
  - a) Both individuals offered their sincere apologies for their actions on the day
  - b) Season 2018-19 was David Winstanley's first season at the Club, and indeed of Rugby, and whilst not appreciating it at the time he now recognises that what he did is not part of the Game, but his sole intention was to separate 2 players involved in the brawl.
  - c) Season 2018-19 was David Wayman's first season at the Club following 20 years of rugby at both Newark and West Bridgford, without any blemish on his record; and
  - d) From the Club's experience of both players, both before and since the incident, it would appear to be out of character for either to have become involved in the actions that they did on the day.

## **Sanctions**

7. Although these were 5.12 charges the Panel had regard to the sanctioning framework in Regulations 19.11.8, 19.11.10 and 19.11.11.
8. The Panel accepted the mitigation offered in respect of both individuals. The Player entered the field and participated in the brawl, which included pulling at opposition players. He was a replacement (the club touch judge) and should not have entered the field for the reason he did. He contributed to the escalation of the confrontation. He

was, however, an inexperienced player in an environment at that time where there was inadequate leadership. This is his first offence, he is genuinely remorseful and has, up until this point, been of good character. He will no doubt have learnt from being charged with an offence of this kind.

9. The Panel imposed the following sanctions on the Player:

- a) Suspended from playing for 2 weeks.
- b) Keyworth RFC must inform the Panel of the club's 2019-20 fixtures. The Player must not return to play from now until the Panel sets his return to play date.
- c) Costs of £30.

10. The Spectator is experienced in the Game and no doubt understands its values. He should not have entered the field. Indeed, with a barrier present, he should have been behind the barrier at all times. That was as much to ensure his own safety as anything else. In entering the field there was risk that the Spectator could be caught up in the confrontation. To his credit, the Spectator did not participate in the brawl and, we accept, could be heard at times during the recording trying to calm Mr. Mee down. The Panel accepted that the Spectator has been of good character up to this point.

11. The Panel imposed the following sanctions on the Spectator:

- a) The Spectator is reprimanded and warned as to his future conduct.
- b) Suspended from spectating at any match at Level 5 and below for 1 week. The week should be the week of Keyworth's first home fixture in September 2019.
- c) Keyworth RFC must inform the Panel of the club's 2019-20 fixtures and the Panel will set the date.
- d) Costs of £30.

### **Appeal**

12. 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

Thursday 18<sup>th</sup> July, 2019