



NOTTINGHAMSHIRE, LINCOLNSHIRE & DERBYSHIRE  
RUGBY FOOTBALL UNION

DISCIPLINARY DECISION

*Professionalism • Transparency • Fairness • Integrity • Consistency*

**JUDGMENT OF THE PANEL**

**Venue:** Newark RUFC

**Date:** Tuesday 10 September, 2019

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**Club:** Bourne RUFC ('the Club')

**Match:** Southwell RFC 1<sup>st</sup> XV v Bourne RUFC 1<sup>st</sup> XV

**Match Date:** Saturday 31<sup>st</sup> August, 2019

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**Panel:** Matthew O'Grady, Chairman  
Michael Hilton  
Tim Bembridge

**Secretary:** Andrew Statham, NLD Disciplinary Secretary

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**Attending:** David Thorburn, Club Chairman  
Alan Thomas, Club President

**Preliminary Issues**

1. This independent disciplinary panel was formed to deal with a charge arising from an event in the NLD Cup match between Southwell RFC and Bourne RUFC on Saturday 31<sup>st</sup> August 2019. There was no objection to the composition of the Panel. This judgment should be read alongside the Short Judgement concerning Andrew Brown.

### Charges and Pleas

2. Nottinghamshire, Lincolnshire and Derbyshire Rugby Football Union ('the Union') charged the Club with having committed conduct prejudicial to the interests of the Game or Union, contrary to Rule 5.12 (although the charge was not correctly drafted, we have treated it as being amended appropriately).

3. The particulars of the charge against the Club were that:

“In the NLD Cup game between Bourne and Southwell played on Saturday 31<sup>st</sup> August 2019, Andrew Brown, a Bourne substitute, entered the field of play and participated in an on pitch brawl 16 minutes into the first half. Bourne RUFC failed to control their player, preventing him from entering the field of play without the permission of the referee.”

4. Messrs Thorburn and Thomas, on behalf of the Club admitted the charge. The admission was accepted on the same factual basis as Mr. Brown's admission.

### Sanctions

5. The Panel had the following mitigating features of the offending and the Club generally in mind: the Club were at an away fixture so their overall control was less than it would have been at a home fixture; Mr. Brown was not violent; this was an isolated episode during the match; there was a single person who was not controlled; the match was not abandoned; the Club is otherwise of good character; and the Club's officers were sincerely remorseful.

6. Sat against those factors were the following features: this was an important competitive Cup match; Mr. Brown's conduct likely increased temperatures during a fractious moment in the game; and there is a need for a strong deterrent to unauthorised non-playing participants entering the field of play at all times, but especially when confrontations occur.

7. The Panel imposed the following sanctions on the Club:

a) Bourne RUFC is disqualified from all Senior Cup rugby for the 2019-20 season.

b) This sanction is suspended until the end of the 2019-20 season and will be activated if there is an offence by the Club of an abandoned game for which it has culpability and/or a failure to control its players or Club members (**'the activation event'**).

c) In the event the Club is no longer competing in the NLD Cup at the time the activation event occurs, or it loses the Cup match in which the activation event occurs, then the Club will automatically be deducted 8 League points.

d) This points deduction shall otherwise be treated as suspended until the end of the 2019-20.

e) Fine of £200. The fine is to be paid to Wooden Spoon.

- f) £100 suspended until the end of 2019-20 season. The suspension will be activated if the activation event occurs.
  - g) Costs of £30.
8. We direct the Disciplinary Secretary distribute this Judgment to the clubs in the Constituent Body.

**Appeal**

9. 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 19<sup>th</sup> September, 2019