

RUGBY FOOTBALL UNION DISCIPLINARY HEARING

Constituent Body :- Nottinghamshire, Lincolnshire & Derbyshire

Venue:.....Newark RFC

Date:- 19/08/2021

JUDGMENT

Player:- N/A

Club:- Spalding RFC

Match: Boston RFC v Spalding RFC

Match Date:-

Match Venue:- Boston RFC

Panel: Tim Bembridge, Russ Boyack

Secretary:- Andrew Statham

Attending: John Constable (Current Chair Spalding RFC) Martin
Beecham (co-Chair at the time)

Observing:- N/A

Decision

1. The Panel found the club, Spalding RFC, Guilty.
2. The Club pleaded guilty to the offence of 5-12 , conduct prejudice to the interests of the game.
3. The Panel determined that no suspension was warranted See below for further sanction.

Preliminary Matters

4.

The panel introduced themselves and the chairman asked if they had any objections to the panel,. The procedure was explained and again asked if there was any objections.

Charge and Plea

5.

In a match between Boston XV and Spalding XV played on Saturday 1st May 2021, Spalding RFC knowingly fielded a 17 year old player in a senior game contrary to the RFU ruling suspending the ability of correctly assessed U17's from playing in the senior game until the 1st January 2022.

The Club's Case

7. Spalding RFC pleaded guilty to the charge. However prior to the hearing and at the hearing itself they proved their club have a robust procedure as required by RFU regulations and had in the past followed it on numerous occasions. The panel asked why this procedure had not been followed. The response took the form of a "slipped through the net". They went on to explain the club had gone through some management changes as the country came out of covid lockdown and new captains & coaches had not been given the correct information.

Sanction

8. We undertook an assessment of the Club's conduct as follows:-

- a) Intentional;
- b) No injury resulted
- c) The nature of the action was largely down to lack of communication rather than deliberate or ignorance.
- d) The club had robust procedures in place as proved by previous records of the club following the correct procedure for 17 year olds playing senior rugby
- e) Club members present spoke of how this oversight happened and what they had done to prevent it happening again.

Mitigating Factors

10. We considered the mitigating factors:

As stated previously Spalding RFC proved they had previously followed regulations and had taken steps to prevent any possible reoccurrence.

Aggravating Features

9. We considered there were no aggravating factors

Decision

11. The Panel found the club Guilty

The club will be “fined” 3 league points in the season 2021-2022.

This being suspended for the period. should any reoccurrence happen then this fine will be implemented immediately in addition to any sanction deemed appropriate for the second offence.

The panel Chairman will contact the NLD safeguarding team to ask specifically “does this club need a safeguarding audit? This panel will be guided by the experts in this subject.

On speaking to the NLD secretary and safeguarding officer (29/8/21 15-05) it was decided the club do NOT need a full audit.

Costs

12. £ 30 will be invoiced by NLD office.

Right of Appeal

13. There is a right of appeal against this decision. Any such appeal must be lodged with the RFU Head of Discipline within 28 days of receipt of this judgement.