

RUGBY FOOTBALL UNION DISCIPLINARY HEARING

Constituent Body: Nottingham Lincolnshire & Derbyshire RFU

Venue: NEWARK RFC

Date: 23/09/2021

JUDGMENT

Clubs: Ashfield RFC & Moderns RFC both 3rd teams

Match: Ashfield RFC (3rds) V Moderns RFC (3rds).

Match Date 1/5/2021

Match Venue: Ashfield RFC

Panel: Tim Bembridge (Chairman) Michael Hilton, Nick Corrigan

Secretary: Andrew Statham

Attending: Jeff Mapp, James Feasey (Moderns RFC) Rob Sawer, Eddie Trustwell, Neil Cutts (Ashfield RFC)

Preliminary Matters

The panel introduced themselves. The Chairman informed those present how matters would proceed, then asked if they objected to the formation of the panel and / or its members.

Charge and Plea

Charge presented to both clubs

Conduct prejudicial to the Union or the conduct of the game contrary to Rule 5.12 of the RFU Rules.

Particulars of Offence

Notts Moderns RFC:

In the match between Notts Moderns 3rd XV and Ashfield 3rd XV played on Saturday 22nd February 2020, members of the Notts Moderns team acted in such a way that the referee was forced to abandon the game.

Ashfield RFC:

In the match between Ashfield 3rd XV and Notts Moderns 3rd XV played on Saturday 22nd February 2020, members of the Ashfield team acted in such a way that the referee was forced to abandon the game.

Examination of events

We undertook an assessment of both teams / clubs conduct:-

- a) The panel spoke to both clubs individually in turn:
- b) The panel then spoke to the match official by phone. Despite this match taking place before the covid breakdown the referee, Darrell Boulter, spoke clearly, and had full recollection of the details of the incident, the match as a whole and circumstances leading to the disjointed pre match events.
- c) The match official was a relatively new referee, and found the experience of changing at one location, traveling to a remote pitch with all the associated frustrations hampered his personal pre match routine. This should have been noticed by the older, more experienced members of both teams.
- d) By their own admissions Ashfield were more experienced “old heads” whereas Moderns were younger players this was picked up in their recollection of events mentioning Moderns wanted to spread the ball wide for their youthful backs whereas Ashfield wanted to slow the game down and keep things tight. Whatever their reasoning the older heads in both teams should have noticed the referees inexperience and helped him keep control NOT continually disputing decisions and giving continued commentary on the game.
- e) The referee was non-specific in blame to either team so we held both clubs culpable in equal measure.

Aggravating Features

There were no aggravating factors in this case however this is not an event that NLD wish to see in any way and whilst its is accepted that Moderns have an exceptionally clean discipline record Ashfield do have form in this area. However they have a much improved recent history and we as a panel recognise that fact.

Mitigating Factors

There were no mitigating factors taken into consideration for this case for either club.

Decision

1. The Panel found both clubs guilty of the 5-12 charge

Sanction

The panel decide the sanction would be one of multiple folds,
Namely:

- 1) 5 league points deducted from their first team's record, This will be suspended for this season. Should either club have a match abandoned by the referee this deduction will take immediate effect regardless of any decision the panel at the new hearing should take.
- 2) James Feasey (Moderns RFC) volunteered to take a referees course which is to be applauded.
- 3) The points above along with this judgement to be posted for 28 days on the clubs website.

Costs

Standard £30-00 costs will be invoiced separately

Right of Appeal

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