

**RUGBY FOOTBALL UNION  
DISCIPLINARY HEARING**

Constituent Body: NLD Ref 24/25026

Venue: Newark RUFC

Date: 13<sup>th</sup> November 2024

**JUDGMENT**

Club: Meden Vale RUFC

Player: Brad Rhodes DoB 05/08/1992 RFU 1070304

Games: Skegness V Meden Vale 07/09/24 & Sleaford v Meden Vale 14/09/24

Panel: Tim Bembridge (Chair) Ian Roe (V/Chair) & James Armstrong-Holmes.

Secretary: Andrew Statham.

Attending: Andrew Cullington (Club first team manager), Brad Rhodes (1st team captain and player), Barrie Stoutt (Club disciplinary officer).

**Decision**

1.The Panel found that the player Brad Rhodes played in both games despite being suspended his name was not entered on either EMC. This has been judged in two separate sanctions against the players club for playing him.

2.The player pleaded guilty to the offence.

3.The Panel determined that following sanctions were imposed on the the:

- The player must serve his original sanction placed on him for his red card received on the 24/08/24.
- A further sanction of 5 meaningful games is placed on the player
- A revised list of games for both elements of this judgement appears later in this judgement.

**Preliminary Matters**

4. The panel introduced themselves and the chairman outlined the procedure. The chairman also asked if anyone had any objections. Meden Vale club members introduced themselves.

NOTE. Readers of this judgement are referred to previous judgements for this club / Player. These can be found on the discipline page of the NLD website.

This document contains the Panel's reasoned decision, reached after consideration of the evidence, the written and oral submissions and documentation placed before us. It is a summary.

The fact that specific reference is not made herein to any part or aspect thereof does not mean it was not considered and given the appropriate weight

### **Charge and Plea**

5. In a Counties 3 Midlands East (N) games between Meden Vale 1<sup>st</sup> XV and Skegness 1<sup>st</sup> XV played on Saturday 7<sup>th</sup> September 2024, and Meden vale 1<sup>st</sup> XV v Sleaford RFC Mr Brad Rhodes (details above) played in these games knowing that he was ineligible due to being suspended for receiving a red card.
6. The player pleaded guilty denying he was aware he couldn't play.

### **The Complaint**

7. It had been brought to NLD Discipline's attention that the player had played and his name was not on the electronic match card. The remit of this discipline committee was to judge on the playing aspect of this case. The club has been sanctioned for playing Mr. Rhodes and the false declaration on the RFU Electronic Match Card will be judged by the Midlands regional Organising Committee who are aware of this issue.
8. The player's red card was received on the 24/08/24. The club held an internal hearing on the 29/08/24. From their report of this meeting: The player was "banned" at this meeting for 5 weeks missing three league games, Skegness, Sleaford, Worksop giving a free to play date of Saturday 28/9/24 subject to approval by NLD disciplinary panel.
9. NLD disciplinary panel dealt with the red card case on papers with a decision of 8 meaningful matches giving a return to play date of 17/11/24. This judgement can be seen on the NLD website. It was sent to the club on the 29/09/24 at 16:06. The delay was due to information requested from the club being delayed. At no time was the player not aware of either his club's sanction (he was present at their meeting) or the Official NLD judgement. The club was advised the player could not play until given a return to play date by NLD discipline committee.
10. On the 15/10/24 The club was sanctioned -5 league points for playing the same player in their game v Sleaford RFC on the 14/09/24. They were also instructed to return to their club and write, on club letterhead paper, a letter to NLD Discipline committee (Secretary Mr. Andrew Statham) stating the player had NOT played any further games.
11. On the 16/10/24 an email to Andrew Statham was sent on behalf of the club by Barrie Stoutt admitting the player played in their game v Skegness on the 7/09/24.

12. The club and player have chosen to disregard their own judgement but hide the evidence of this misdemeanour.

### **Club's Case**

13. Meden Vale RUFC had admitted the charge of the player playing suggesting it was a "mistake." The player admitted the charges for both games stating he did not know he was suspended from playing and he was "getting pressure from his team mates to play". It follows that not only did he play he was deliberately omitted from the match card in an attempt to hide the the wrong doing.

### **Judgement**

14. We undertook an assessment of the players actions on the days. It had been deliberated at the previous hearing Mr Cullington and Mr Stoutt were away from the game on the dates in question due to family and holiday reasons. They had previously stated that the EMC was completed following selection late in the week (Thursday or Friday). They were told the team electronically. Panel had previously deliberated it would only be reasonable to expect any changes to selection through non availability to be similarly communicated and amended. There is also protocol for last minute changes to be likewise amended. Again there is no reason the final version of the EMC not be a true and honest reflection of the squad on the day. It therefore follows that not entering Mr Rhodes onto the EMC is because the club as a whole knew full well that he should not be playing.

15. The wording "the club" is deliberate. To reiterate Panel formed the opinion at the previous meeting on the 15/10/24 that Mr Stoutt and Mr. Cullington where not at the game and in effect entered the team they were (electronically) told to enter.

16. On two occasions panel asked the club to confirm the player has only played these two games whilst suspended.

- a) Andrew Statham suggested they admit any further indiscretions.
- b) The chairman distributed a document (see appendix 1) of "cut and pasted" rules and regulations taken from the RFU rules and regulations. One copy of this was signed and dated by the members of the club present.
- c) On each occasion the club representatives present stated that to the best of their knowledge the player had played only on these two occasions.
- d) A suggestion that the player played in their game v Worksop on the 21/9/24 was made and discussed. The club totally denied this happened on multiple occasions.
- e) At this point panel chose not to progress this occasion any further at this

moment in time.

17. Chairman reminded Mr Rhodes of the seriousness of this case. He appeared by his demeanour that this wasn't a serious issue stating at one point "this is tense isn't it". He was asked about his knowledge of the regulations and claimed he did not know a red carded player couldn't continue to play in successive games. Chairman stated the seriousness of the charge and that playing goes against all the core values of the game. Player did not know, when further questioned, the core values. Either that or was not fully engaging with the panel.

Rugby's core values, as identified by the RFU, of Teamwork, Respect, Enjoyment, Discipline and Sportsmanship are not just slogans on a poster on the wall of the Clubhouse. They are integral to the game this case goes against all of these values a direct disregard for the health of the game.

18. This player is a figure head of the club on the field. He is team captain. The clubs website has "pen pictures" of numerous players many of them stating this player has influenced their own rugby playing. It is obvious a lot of club players look up to him. The panel were not convinced the reasoning of not knowing the rules and regulations was true. It is reasonable to assume a player of this standing in a club would have a basic understanding of laws, rules & regulations.

The panel were convinced however that he is aware of not being able to play once red carded as he has been red carded previously in 2019 which was mentioned in his original sanction.

19. The game is vulnerable to such behaviour. A lot of trust is placed on clubs and players. The vast majority of clubs and players abide by them with no issues. This case is one of deliberate flouting the rules and regulations in complete disregard for the games core values. the reasoning by the player being "he didn't know he was doing wrong."

20. Panel judged this was an act of deliberately disregarding the rules with an attitude of "rules don't count for me or my club." It was an intentional act totally disregarding all authority.

### **Mitigating Factors**

21. The panel considered the players response to the charge. He pleaded guilty to the charge. Saying it was his fault not the clubs, this apology did not come across as genuine or sincere. The only regret was one of being caught. Other than that there was no mitigation for his actions.

### **Aggravating factors**

22. Should evidence be forthcoming at a later date that this player played in the Worksop game on the 21/09/24 then aggravation will be implemented by that panel. They will use these 2 judgements for the basis of such aggravation. At this point in time no further aggravation is to be imposed.

### **Decision**

23. The player is suspended from playing for the following games and reasoning. For the benefit of doubt this is a suspension from playing, the player is encouraged to still engage with the club, coaching, run water on, first aid (if appropriate) administration to name a few.

The original suspension for the red card received on 24/08/24:

7/09/24 v Skegness -Played in this match

14/09/24 v Sleaford – Played in this match

21/09/24 v Worksop

28/09/24 v Cleethorpes – Game not played cancelled by Gainsborough

12/10/24 v East Retford

19/10/24 v Grimsby

2/11/24 v Ashbourne 2nds (Cup)

09/11/24 v N Hykham

*So, for the original sanction we need to add three to make up the original sanction which will now be,*

16/11/24 v Ollerton

30/11/24 v Lincoln

7/12/24 v Market Rasen.

*So now the additional 5 matches will be.*

14/12/24 v Sleaford

21/12/24 v Worksop

4/1/25 v Cleethorpes

11/1/25 v East Retford

18/1/25 v Grimsby

**That makes his Free To Play date as 19/1/25.**

### **Costs**

24. A cost of £50.00 will be invoiced by NLD Office. This will be directly to the Meden Vale Club. It is for the club to pay, it is for the club to decide if they shall claim this back from the player.

### **Right of Appeal**

25. There is a right of appeal against this decision. Any such appeal must be lodged with the RFU Head of Discipline within 14 days of the club receiving the written judgment.

Appendix 1:

Presented to the club officers and the player before asking if they could again confirm Mr Rhodes only played in the two games v Skegness RFC on the 07/09/24 and v Sleaford RFC on the 14/09/24 whilst knowingly suspended. The signed original of this document remains with the Chairman of NLD Disciplinary Committee.

## 2.4 Duty to Act with the Utmost Good Faith

All Clubs, Constituent Bodies, National Representative Bodies, all Organising Committees and any player, official, member or employee of a Club or Constituent Body or National Representative Body or an Organising Committee shall at all times act towards the RFU and each other with the utmost good faith.

19.2.2 All RFU Regulations shall be binding on all persons over whom the RFU has jurisdiction (including Club spectators), who shall be deemed to have full knowledge of the content of these Regulations. Regulation 19 applies to all disciplinary proceedings arising under the RFU Rules and Regulations, unless otherwise explicitly stated in the applicable Competition Regulations.

19.2.4 All those under the jurisdiction of the RFU are required to cooperate with any disciplinary proceedings and to act in good faith.

19.2.15 The power to conduct investigations and initiate disciplinary proceedings pursuant to Regulation 19, is vested in the RFU, save and to the extent to which this power may be delegated to Constituent Bodies pursuant to Regulation 19.2.19.

19.2.19 Subject to Regulation 19.2.18 a Constituent Body shall deal with cases which involve individuals and Clubs under their jurisdiction. In cases involving Players from different Constituent Bodies in a single connected incident, the power shall be

delegated to a joint cross-border Panel to deal with or as otherwise directed by the RFU Head of Discipline.19.1.4