# **RUGBY FOOTBALL UNION - DISCIPLINARY HEARING**

## **BRISTOL FILTON HOLIDAY INN**

# **JUDGMENT**

Player: Christian Gervais (the "Player")

Club: Dings Crusaders RFC

Match: Minehead RFC Colts Vs. Dings Crusaders RFC Colts

Date of Match: 26<sup>th</sup> January 2008

Venue: Minehead RFC

Panel: Mike Curling (Chairman)

John Doubleday Paul Murphy

In Attendance:

Liam McTiernan (Secretary)

#### To Consider:

The sending off of the Player, for verbal abuse of a match official, contrary to Law 10(4)(k).

The case was dealt with as "papers only" as the player pleaded guilty. There was no match video.

## **Evidence as to Fact**

The Panel considered:-

- 1. The sending off report submitted by the referee Lloyd Jackson.
- 2. Letter from Richard Grant, representing Dings Crusaders RFC, dated 7<sup>th</sup> February 2008.

Dings Crusaders RFC conducted their own disciplinary hearing and deemed the offence warranted a two week suspension. The Club contend that the Player did not intend the referee to hear his comments, they were borne out of frustration at giving away a penalty. The player expressed his immediate regret.

# **Finding**

The Panel deemed the action of the Club was too lenient, based on 6 weeks being the Low Entry point. Even if the player were to gain the full 50% discount, this would amount to a suspension of three weeks.

The Panel having assessed the gravity of the offence under 8.2.5 of the RFU Disciplinary Regulations made the following assessment:

- The act was deliberate and completed.
- There were no other aggravating features.

The Panel assessed the entry point as Low Entry (LE) with an entry point of 6 weeks. They then took into account:

- His guilty plea and remorse.
- Clean record.
- The 2 week Club suspension imposed on the 7<sup>th</sup> February 2008.

In regard to these mitigating features the Panel discounted 3 weeks.

# **Sanction**

The player is suspended from playing for a period of 3 weeks. The suspension will include time already served from 7<sup>th</sup> February 2008 up until and including 21<sup>st</sup> February, and the remainder of the suspension will be effective from 4<sup>th</sup> March until 11<sup>th</sup> March 2008. The player is free to play again on 12<sup>th</sup> March 2008.

#### Costs

Costs of £75.00 are awarded against the Player/Club.

# Right of Appeal

There is a right of appeal against this decision which should be lodged with the RFU Disciplinary Department in accordance with the Disciplinary Regulations.

Signed: Liam McTiernan (Secretary)

Date: 3<sup>rd</sup> March 2008