

RUGBY FOOTBALL UNION
DISCIPLINARY HEARING

At: Holiday Inn, Coventry

On: Monday, 1st March 2010

Clubs: Coventry Tech RFC and Copsewood RFC

Match: Coventry Tech RFC v Copsewood RFC

Date of Match: 16 February 2010

Panel: HHJ Sean Enright (Chairman), Bob Taylor, John Brennan

Secretary: Bruce Reece-Russell and Liam McTiernan

Attending: Thomas Clark – Referee

Coventry Tech RFC: Gwyn Thomas, president; and Mark Tucker, vice-chairman and treasurer.

Copsewood RFC: Peter Manger, chairman; Bill Johnston, player and captain; Wayne Cutler, player and ex-captain; Gavin Palk, player and honorary secretary; and Chris Morgan, player.

John Davies – Warwickshire Referee’s Society Disciplinary Secretary

Malcolm Murphy – Warwickshire RFU Discipline Admin Secretary

Charges and Pleas

1. Both clubs were charged with conduct prejudicial to the interests of the Union or the game contrary to Rule 5.12 of the Rules of Rugby Football Union 2009-2010.
2. In so far as they were material, the particulars of the charge were that personnel from Coventry Tech RFC / Copsewood RFC (as the case may be) were involved in incidents which caused the match referee Thomas Clark to abandon the match and that the same were prejudicial to the interests of the Union or the game.
3. Coventry Tech RFC admitted the charge.

4. Copsewood RFC denied the charge.

Evidence

5. Mr Smith, the referee, gave oral evidence.
6. As to foul play, Mr Smith said that he gave yellow cards to two Coventry Tech players during the course of the first-half (one for a punch and another for a deliberate trip) and a further yellow card to another Coventry Tech player during the course of the second-half (for a deliberate trip). When the match was abandoned, 16 penalties had been awarded against Coventry Tech and 8 penalties had been awarded against Copsewood.
7. As to his dealings with the captains of each team, Mr Smith said that during the course of the first-half he instructed both captains to urge their players to maintain their discipline. The captain of Coventry Tech completely ignored all such instructions. The captain of Copsewood urged his players to maintain their discipline in accordance with each such instruction. During the course of half-time, Mr Smith spoke to both captains again. In particular, he warned them that he might abandon the match.
8. As to his dealings with other players, Mr Smith said that during the course of the game he was repeatedly subjected to volleys of vulgar abuse. Typically, the comments were made by players in Coventry Tech's back line. He was unable to identify the culprits because the comments were made from some distance behind him at times when he needed to concentrate on what was going on in front of him.
9. As to his dealings with spectators, Mr Smith said that he was subjected to vulgar abuse from members of the crowd, especially from spectators standing in a certain position. He understood that the spectators in question were purporting to support Coventry Tech. Mr Smith was constrained to insist that spectators stood further away from the pitch behind a barrier.
10. During the course of the second-half, players from both sides took part in what Mr Smith described as a "handbag melee". Mr Smith abandoned the game. At the time, the score was 5-6 to Copsewood. As Mr Smith put it: "I felt as if I was on a hiding to nothing." He felt utterly humiliated and powerless exert any control over the players or the game.
11. When asked to apportion blame between the teams, Mr Smith said: "Cov Tech wanted to fight. Copsewood were on the receiving end."
12. When asked to whether Copsewood's players or spectators had contributed to his decision to abandon the game and to identify the same, Mr Smith said that players in the Copsewood team

had: (1) carped at him throughout the match about Coventry Tech's attitude; (2) protested to him directly (a) about acts of foul play that they alleged had occurred but which Mr Smith had not seen and could not, therefore, act upon and (b) about other acts of foul play that had occurred but in respect of which Mr Smith was unable to identify the culprit and could not, therefore, take action against any individual; and (3) moaned to each other about their lot within his ear-shot. Mr Smith said that such comments added to his sense of humiliation and further undermined his authority.

13. Several members of the Copswood team gave evidence namely, Bill Johnston, the captain, Wayne Cutler, Gavin Palk and Chris Morgan. Their evidence as to what occurred was consistent with Mr Smith's account.

Finding

14. The Panel gave anxious consideration as to whether the conduct of Copswood's players had been prejudicial to the interests of the Union or the game. Certain aspects of their conduct had contributed to the referee's decision to abandon the match and did not reflect well on those players involved. However, the panel concluded, on balance, that the conduct in question was not prejudicial to the interests of the Union or the game. Accordingly, the charge against Copswood was dismissed.

Sanction

15. Coventry Tech play in the "Midland 5 South East" league. There is no relegation from that league. There is no league below it.
16. Coventry Tech have won three league matches this season. They currently have six league points. They have won as many games as they have lost. A large proportion of their league fixtures had been postponed due to bad weather. About half their league fixtures have still to be played. They expect to play league matches on Saturday 6 March 2010 and 13 March 2010.
17. Five Coventry Tech players have been sent off since the start of the 2008/9 season to date. One player has been sent off on no less than four occasions. On each of the nine occasions that a Coventry Tech player has been sent off, it has been for an offence contrary to Law 10.4 (dangerous play and misconduct).
18. At the instigation of Warwickshire RFU Disciplinary Secretary, the Secretary of Warwickshire Referee's Society paid a visit to Coventry Tech to remind the players of their obligations and the

importance of maintaining their discipline. This curbed the propensity for foul play that had been identified within the club but, sadly, only for a temporary period.

19. There is no money in Coventry Tech's bank account.
20. Mr Thomas, the president, and Mr Tucker, the vice-chairman and treasurer, said that the club was now only able to put out one side, that the club regularly struggled to field a full side and that the club had been unable to fulfill a fixture on occasion. They did not seek to dispute the fact that certain members of the club either chose to ignore or failed to appreciate proper standards of behaviour whilst watching and playing the game.
21. The club has a disciplinary secretary. The club understands its obligations in that regard and seeks to discharge them properly.
22. Mr Tucker spoke of the club's proud 80 year history and the valiant efforts that he and others, such as Mr Thomas, were making to keep the club alive.
23. It was evident to the Panel that Mr Thomas and Mr Tucker did not need to be reminded of the standards of behaviour that are expected from all those involved in the game both on and off the field. They were obviously embarrassed by the conduct of members of their club, sincere in their regret and readily apologised to Mr Smith on behalf of the club.
24. The sanction for an offence contrary to 5.12 of the Rules of the Rugby Football Union is at large. There are no official guidelines.
25. The game has been blighted this season by incidents of ill discipline that have constrained referees to abandon matches.
26. The Panel was mindful of the need to take into account the fact that a failure to fulfill a league fixture would result in the loss of yet further league points and the obligation to prescribe the consequences arising therefrom. In this connection, the Panel proceeded on the assumption that a two week period of suspension would prevent Coventry Tech from fulfilling two league fixtures. As is evident from the sanction imposed, the Panel proceeded on the assumption that the sanction would result in the deduction of six league points.
27. Coventry Tech were sanctioned as follows:
 - (1) The club was deducted two league points.
 - (2) The club was suspended from playing for two weeks with immediate effect with the result that it would not be able to play again until Tuesday 16 March 2010.

- (3) The club will forfeit two league points for each league fixture it is unable to fulfill as a result of its suspension. The club it would have played against shall be awarded two points. It shall be assumed that the score of the match in question was nil-nil, unless points difference is material at the end of the season. In that event, points difference shall be calculated without regard to the result of any league match against Coventry Tech RFC. In other words, if a club that would have played a league match against Coventry Tech in the period between 1 and 14 March 2010 (inclusive) has the same number of league points at the end of the season as another club and their position in the league relative to each other will affect the composition of a league in the following season, their relative league position shall be determined by reference to the points scored by and against each club during the course of all league matches other than those that were actually or notionally played against Coventry Tech RFC. In theory, Coventry Tech RFC might be one of the clubs affected. In that event, if Coventry Tech RFC is tied with more than one club, the final league position of the other clubs shall be determined in the manner set out above and Coventry Tech RFC shall be placed below those clubs in the final league table. Likewise, if Coventry Tech RFC is tied with one other club, it shall be placed below that club in the final league table.
 - (4) The score at the point when the club's match against Copswood RFC on 13 February 2010 was abandoned shall stand as the result of the match (Coventry Tech RFC 5 – Copswood RFC 6) and need not be re-played.
 - (5) The club shall provide Mr Smith with a written apology within 14 days of the receipt of this judgment.
 - (6) All members of the club shall be sent a copy of the letter attached hereto.
 - (7) This judgment shall be placed on display in a prominent position in the club house, accessible to all those who want to read it, until the end of the season.
 - (8) The club was formally reprimanded and censured.
28. The club was ordered to pay costs in the sum of £200.
29. The club is hereby informed of its right to appeal and of the deadline by which any such appeal must be made. Unless the RFU Disciplinary Department is notified in writing of any such appeal by 10 am on the 14th day after the date of the receipt of this judgment, the club's right of appeal will be lost.

HHJ Sean Enright

Chairman

Dear

As you will be aware, on 13 February 2010 our match against Copswood RFC had to be abandoned.

At a hearing on Monday 1 March 2010, the club was constrained to admit that the conduct of its players and supporters had been prejudicial to the interests of the game.

In simple terms, we had no choice but to admit that our players and supporters had brought the game into disrepute.

As a result, the club was suspended from playing again until 15 March 2010. As a result, we will probably forfeit four points because we will be unable to fulfill league fixtures. In addition, the club has been deducted two league points in any event. In other words, when we play our next league match, we will probably have zero league points.

In addition, I will be writing to the referee to apologise (an oral apology having already been offered) and the club has been reprimanded and censured.

Full details of the hearing have been displayed on for all those that wish to read it.

The reason why I am writing to you is because I have been ordered to write to all playing and non-playing members alike to bring home to everybody at the club that the Rugby Football Union will not tolerate behaviour of the sort that occurred during the match against Copswood RFC and to warn all those involved that any repetition of such behaviour is likely to be taken even more seriously.

During the course of the match against Copswood, the referee was subjected to volleys of foul mouthed abuse from players and spectators alike. Many of you will appreciate how embarrassing it was for Mark and I to hear the evidence of this unfold during the course of the hearing. There may, however, be a small number of you that believe that such abuse is merely "banter" and "part of the game". If you are one of those within that minority, I do not know exactly what game you have in mind but it is certainly not rugby. Be under no mistake, the RFU has drawn a line in the sand and our club is on the wrong side of it. If one of the players responsible had been identified, he would now be banned for a long time. Likewise, if one of the spectators had been identified, he would have been banned from the club's house and grounds for an equally long time. Swearing is unacceptable whether it is on the field or play or on the touchline. Swearing at a referee is outrageous. To hurl foul mouthed abuse at a referee is unforgivable. The referee our guest and we treated him appallingly. No referee: no game.

During the course of the match against Copswood, because there were so many incidents of foul play, the referee came to the conclusion that we were more interested in fighting our opponents than playing rugby against them. I regret to say that this is entirely of a piece with the incidence of foul play that has marred

our play this season and last. Our reputation for foul play has been a source of concern for Warwickshire RFU for some time. A repetition of behaviour of this sort will not be tolerated. Be under no illusion, any player that comes before a club disciplinary hearing, a Warwickshire RFU disciplinary hearing or a RFU disciplinary hearing and is found guilty of foul play is likely to be subject to a longer than normal sentence in order to deter what now must be recognized to be a serious discipline problem within our club.

I am sorry to have to write to you in such terms and am conscious that most of you reading this letter are likely to share my revulsion with the thuggish behaviour of a minority of our players and the boorish antics of other players and supporters which has brought our club into disrepute.

I take comfort in the fact that our club retains the full support of the Warwickshire RFU and the Warwickshire Society of Referees.

I also know from personal experience the unstinting efforts that many of you have made on behalf of the club in what have been very difficult circumstances in recent times.

If all those that want the best for the club pull together we will be able to look back on recent events in years to come as a rallying point from which we emerged better and stronger. We have a proud history. We can do better than this. We are better than this.

If any of you remain perplexed by the need to write to you in such terms, please take a moment to consider the guiding principles that have shaped our game over the years. They are known as the "Rugby's Core Values". Our game is what we make it.

Yours etc.

Gwyn Thomas

President, Coventry Tech RFC

RUGBY'S CORE VALUES

Teamwork

Teamwork is essential to our sport. We welcome all new team members and include all because working as a team enriches our lives. We play selflessly: working for the team, not for ourselves alone, both on and off the field. We take pride in our team, rely on one another and understand that each player has a part to play. We speak out if our team or sport is threatened by inappropriate words or actions.

Respect

Mutual respect forms the basis of our sport. We hold in high esteem our sport, its values and traditions and earn the respect of others in the way we behave. We respect our match officials and accept our decisions. We respect opposition players and supporters. We value our coaches and those who run our clubs and treat clubhouses with consideration.

Enjoyment

Enjoyment is the reason we play and support rugby union. We encourage players to enjoy training and playing. We use our sport to adopt a healthy lifestyle and build life skills. We safeguard our young players and help them have fun. We enjoy being part of a team and part of the rugby family.

Discipline

Strong discipline underpins our sport. We ensure that our sport is one of controlled physical endeavour and that we are honest and fair. We obey the laws of the game which ensure an inclusive and exciting global game. We support our disciplinary system, which protects our sport and upholds its values. We observe the sport's laws and regulations and report serious breaches.

Sportsmanship

Sportsmanship is the foundation upon which rugby union is built. We uphold the rugby tradition of camaraderie with teammates and opposition. We observe fair play both on and off the pitch and are generous in victory and dignified in defeat. We play to win but not at all costs and recognise both endeavour and achievement. We ensure that the wellbeing and development of individual players is central to all rugby activity.