## **RUGBY FOOTBALL UNION**

#### **DISCIPLINARY HEARING**

**VENUE: THE Royal Hotel, TRURO** 

DATE: 8 December 2009

# IN THE MATTER OF

Perranporth RFC and Camborne School of Mines RFC

AND IN THE MATTER OF

Rule 5.12 of the Rules of the Rugby Football Union

Match: Perranporth RFC v Camborne School of Mines RFC

**Venue:** Perranporth RFC **Date of match:** 7<sup>th</sup> November 2009

Panel: Mike Curling (Chairman), David Martin and Bruce Reece-Russel("the Panel")

## In attendance:

<u>Cornwall RFU:</u> Mr G PAUNCEFORT – Hon Disc Chairman

Mr A MITCHELL – Hon Sec CRFU – as an observer

Cornwall RURS: Mr T MORTIMORE – Hon Sec – as an observer

Referee: Mr R TREVAIL

<u>Perranporth RFC:</u> Mr M OWEN – Hon Chairman

Mr D WALLIS - Hon Sec

Mr S ARTHUR – Director of Rugby

#### Camborne School of Mines RFC:

Dr A WETHERALL - Hon Chairman

Dr P FOSTER – Hon Sec Mr D MORGAN - Coach

## **DECISION**

1. Perranporth RFC having been found guilty of an offence contrary to Rule 5.12 of the Rules of the Rugby Football Union were deducted 2 league points in season 2009/2010. They were further severely reprimanded and warned to their future conduct.

 Camborne School of Mines RFC having pleaded guilty to two offences contrary to Rule 5.12 of the Rules of the Rugby Football Union were deducted 8 league points in season 2009/2010, 2 league points for Charge 1 and 6 league points for Charge 2.

### **PRELIMINARIES**

3. The Panel convened to hear the following matters:

### PERRANPORTH RFC

# **CHARGE 1**

## STATEMENT OF OFFENCE

Conduct prejudicial to the interests of the Union and/or the Game contrary to Rule 5.12 of the Rules of the Rugby Football Union 2009 – 2010.

## **PARTICULARS OF OFFENCE**

On the 7<sup>th</sup> November 2009, Perranporth RFC players, and/or officials and/or spectators were involved in a brawl with players and/or official's and/or spectators from Camborne School of Mines RFC during the match, such acts being prejudicial to the interests of the Union.

## CAMBORNE SCHOOL OF MINES RFC

#### CHARGE 1

## STATEMENT OF OFFENCE

Conduct prejudicial to the interests of the Union and/or the Game contrary to Rule 5.12 of the Rules of the Rugby Football Union 2009 – 2010.

## **PARTICULARS OF OFFENCE**

On the 7<sup>th</sup> November 2009, Camborne School of Mines RFC players, and/or officials and/or spectators were involved in a brawl with players and/or official's and/or spectators from Perranporth RFC during the match, such acts being prejudicial to the interests of the Union.

## **CHARGE 2**

#### STATEMENT OF OFFENCE

Conduct prejudicial to the interests of the Union and/or the Game contrary to Rule 5.12 of the Rules of the Rugby Football Union 2009 – 2010.

## PARTICULARS OF OFFENCE

On the 7<sup>th</sup> November 2009, Camborne School of Mines RFC players refused to return to the field of play when requested to do so by the Match Referee Robert Trevail in the match Perranport RFC v Camborne School of Mines RFC, thereby causing the abandonment of the match.

- 4. Both Clubs indicated a guilty plea to the matters brought against them.
- 5. No objection was taken to the composition of the Panel.
- 6. The Panel were in possession of a bundle of documents put together by the RFU Discipline Department. Included was a report by the Match Referee Robert Trevail who also gave oral evidence at the hearing. They also had at their disposal a match DVD.

## **OUTLINE OF THE CASE**

- 7. On the 7<sup>th</sup> November 2009 the appointed referee for the match Perranporth v Camborne School of Mines failed to turn up. Mr RURS Trevail a Perranporth RFC club member (and a former member of Cornwall) volunteered to officiate the match. Both teams agreed to him officiating as the consequences of finding another date in an already busy calendar was less attractive than playing the match.
- 8. In or around the 62th minute there was an alleged stamping/kicking by the CSOM No 2 on an opponent. An unsightly brawl involving many players from both sides occurred. As the brawl was ending the CSOM Coach can be seen on the DVD ushering his players from the field of play.
- 9. When the brawl had ended the referee (on more than one occasion) requests that the CSOM players return so that the match could resume. The Coach and players declined citing issues of "duty of care". In declining to resume the match the referee was left with no option but to abandon the match and further he was denied the opportunity of awarding a red card to CSOM No2 and a yellow card to the Perranporth player who had struck the CSOM No 2 and thereby started the brawl; a cours of action which he assured the Panel he intended to take.
- 10. The matter of the award (or otherwise) of league points shall be determined by the SWDOC but it is the opinion of the Panel that no points should be awarded and the match result be a 0-0 draw.
- 11. The match is not to be replayed.

# <u>COSTS</u>

12. Perranporth RFC and CSOM RFC are each ordered to pay costs of £100.00, payable within 21 days of receipt of this judgment.

# **RIGHT OF APPEAL**

13. The parties were advised of their right of appeal. Such appeal must be lodged with the RFU Discipline Department by not later than 10.00 hours on the 14<sup>th</sup> day following receipt of this judgment.

Mike Curlling, Chairman 26th December 2009