## **RUGBY FOOTBALL UNION**

#### **COMPETITION APPEAL**

### EAST GRINSTED RFC v L&SE DOC

**At:** Holiday Inn, Bloomsbury

On: Thursday 25 March 2010

**Panel:** Jeff Blackett (Chairman), Peter Budge and Philip Evans

**Secretary:** Bruce Reece-Russel

**Attending:** Gavin Gleave (EGRFC- DofR)

Rex Whittaker (EGRFC – 1<sup>st</sup> XV Manager)

Paul Astbury (Chairman London & SE DOC)

**Observing:** Paul Kaminski (MLOC)

**To Consider:** An appeal by EG RFC against a decision of the L&SEDOC that the result of their league match against Brighton on 16 January 2010 should stand and the game should not be replayed.

# **FACTS**

- EGRFC played Brighton RFC in a London 3 (SE) league match on 16 January 1. 2010 on an artificial pitch at Brighton. This match had been a home match for EGRFC but was switched to the alternative venue because of adverse weather conditions. Although EGRFC had indicated some misgivings about the switch, they accepted – and still accept – it. At half-time Brighton replaced one of their props but the referee did not ascertain whether it was a tactical or injury replacement, but assumed it was for injury. In th Paul Kaminski (MLOC)e 48<sup>th</sup> minute, when EGRFC were leading 9-3, a second Brighton prop left the field with an injury. He was replaced by a person (Adam Savage) who was listed as a Front Row replacement on the match card but who purported to be a specialist hooker who declined to play prop. The referee ordered uncontested scrums but did not order Brighton to reduce to 14 players as he should have done. At the next stoppage Mr Gleave spoke to the referee and informed him that under the Game Regulations Brighton RFC should either play contested scrums or, if there were no suitable replacements and uncontested scrums were ordered, be reduced to 14 players. The referee took no action: Brighton continued with 15 players and eventually won the game 32 - 9.
- 2. EGRFC subsequently gathered evidence to suggest that Adam Savage had in fact played prop on other occasions. They complained that in their view Brighton had manipulated the regulations because they were being beaten in the scrums to negate EGRFC's advantage. This was unfair and against the spirit of the Regulations.

EGRFC did not wish to criticise the referee who subsequently admitted that he had made the wrong decision and they submitted that the only equitable solution would be for the game to be replayed. The League Secretary ruled that the match result should stand and the L&SEDOC upheld that decision.

## **DECISION**

- 3. There was a dispute as to whether the first prop replacement at half time was tactical or due to injury. The referee admitted that he should have made inquiries, but he assumed and subsequently acted on the basis that the replacement was due to injury. The appeal panel were not provided with any evidence to gainsay this assumption and proceed on the basis that the first replacement was due to injury. The second prop replacement in the 48<sup>th</sup> minute was also due to injury. At level 5 and below (this game was at level 8) a club must provide 4 players who are suitably trained and experience to play in the front row so that it is only on the first occasion of injury to the front row that a club must provide a replacement player who is suitably trained and experienced to be capable of playing in the front row. There is nothing to stop a club using more front row replacements on second and subsequent occasions but there is nothing in the Regulations which obliges them to do so. Equally, even if a club nominates more than four front row replacements, they are not obliged to use them. The deterrent against forcing uncontested scrums is that the team responsible is reduced to 14 players. So, in this case, although Brighton may have wanted uncontested scrums to neuter any advantage EGRFC may have had, they did not contravene the Regulations by declaring that Adam Savage could not play prop. The error was that the Referee allowed Adam Savage onto the pitch at all. He should have ordered that Brighton finish the game with only 14 players.
- 4. EGRFC do not wish to blame the referee, and their complaint is that Brighton manipulated the situation to gain advantage. In fact Brighton did not offend against any Regulation they did, however, take advantage of the referee's error. In these circumstances it would be inappropriate for a competition appeal to interfere with the match result for the reasons provided in the Torquay Athletic RFC review dated 9 December 2009.
- 5. The appeal is, therefore, rejected and the match result will stand.

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#### COSTS

6. It is clear that EGRFC were motivated in this appeal by a sense of fair play – they wanted an opportunity to state their case to seek a solution which was fair to all the clubs at the top of their league. Although we have rejected their appeal we have decided not to forfeit their appeal deposit, and there will be no order for costs.

Jeff Blackett Chairman

26 March 2010