# **RUGBY FOOTBALL UNION**

#### **APPEAL HEARING**

**Venue:** Holiday Inn, Bloomsbury, London.

**Date:** 6<sup>th</sup> January 2011

**Player:** Carl Ambrose

**Club**: Tonbridge Juddians

Match: Beckenham v Tonbridge Juddians

Match Venue: Beckenham

**Match Date**: 16<sup>th</sup> October 2010

Panel: Philip Evans (Chairman); Elizabeth Riley and Dr Julian Morris

**Secretary:** Liam McTiernan

**In Attendance**: Steve Farr (1<sup>st</sup> XV coach Tonbridge Juddians)

Tim Naylor – observing

## **DECISION**

1. The Appeal on behalf of the player was upheld and a decision of a Kent RFU Disciplinary Panel dated the 24<sup>th</sup> November 2010 suspending the player for a period of 2 weeks was overturned and replaced with a finding that the sending off was sufficient as sanction in this case. Consequently the player will face no period of suspension.

### **CHARGE**

2. The player faced a charge contrary to law 10(4)(m), the particulars of the offence were that on 16<sup>th</sup> October 2010 he committed two yellow card offences in the match between Beckenham RFC v Tonbridge Juddians RFC.

### **FACTS**

3. The panel considered video evidence of both the incidents leading to yellow cards and the report of the match referee Stuart Hawkins. The first offence occurred in the 23<sup>rd</sup> minute of the first half. Following a lineout on the Tonbridge Juddian's 5m line,

Beckenham re-organised to drive a maul towards the Tonbridge Juddian's line. The right hand side of the maul collapsed as a Tonbridge Juddian player pulled it down. Advantage was played but none came. A penalty was given, the player (Carl Ambrose the Tonbridge Juddian's No3) was identified as the offender and awarded a yellow card.

4. The second yellow card came after 34 minutes of the second half. A Beckenham player was tackled a yard short of the Tonbridge Juddian line and was prevented from releasing the ball illegally by the Tonbridge Juddian number 13. Advantage was called. The ball squirted out the side of the ruck on the Beckenham side but into the path of the retreating Tonbridge No3. The player picked up the ball in an offside position thereby preventing any advantage to Beckenham. The referee considered the offence to be an "instinctive reaction and a minor technical offence which would not have drawn a yellow card outside of the red zone." As a consequence the player was shown his second yellow card which was upgraded to red.

### **FINDING**

- 5. As Appendix 2 to RFU Regulation 19 makes clear, when a player is dismissed having received two yellow cards the relevant disciplinary panel must either assess the cumulative offending as being lower end, in which case the sending off will be sufficient sanction, or top end, in which case a suspension should be imposed based on the low end entry point prescribed for the most serious of the two offences concerned.
- 6. The panel accordingly proceeded to determine the case on that basis.
- 7. The panel found the second act was purely technical and although the first was not purely technical it was not in the circumstances dangerous or serious. As such the panel assessed the cumulative effect of the two yellow cards as being low end. Therefore, the panel considered the appropriate sanction was that the sending off was sufficient and the appeal is successful.

### **COSTS**

8. As the appeal was successful the appeal fee is returned.

Philip Evans Chairman 10<sup>th</sup> January 2010