

**RUGBY FOOTBALL UNION**

**COMPETITION APPEAL**

**READING ABBEY v SOUTH WEST DIVISION COMPETITIONS  
COMMITTEE**

**At:** Holiday Inn, Bloomsbury, London

**On:** 28<sup>th</sup> March 2011

**JUDGMENT**

**Panel:** Philip Evans (Chairman), Robert Horner & Dr Julian Morris.

**Secretary:** Liam McTiernan

**Attending:** Alan Kilford and Mike Miller (Reading Abbey)  
Paul Astbury (on behalf SW Division Competitions Committee)

**Regarding:** An appeal by Reading Abbey RFC ('RA') against a decision of the SWDCC, that the result of their match on 15<sup>th</sup> January 2011 should be amended to a nil-nil win to the non-offending team, Witney RFC

**FACTS**

1. Reading Abbey played Witney in a league match (level 5) on 15<sup>th</sup> January 2011. During the second half an RA prop was injured and was unable to continue playing. When called upon by the referee to bring on a replacement, RA were unable to do so because the only nominated front row replacement listed on the match card was a hooker who was not prepared to play at prop.
2. The referee being unsure of what to do allowed the substitution to take place and the game to continue with uncontested scrums. The referee should have reduced the RA team to 14 men at that point, he did not.
3. The game continued and RA went on to win the match. After the game Witney made an enquiry of SWDCC about the incident and an investigation into what took place was undertaken by Brian Flanders of the SWDCC. As a consequence of what he found he concluded that RA were in breach of RFU regulation 13.5.10(a) and (b), set out below and taken from the current RFU regulations:

*13.5.10 In the interest of safety*

*(a) in League and Play Off Matches each team must have at least five players (or at Level 5 and below in League Matches, four players) in their nominated match squad, all at least eighteen years old (unless*

*they are a player falling within RFU Regulation 15.1.4.4), who are suitably trained and experienced to be capable of playing in the front row to ensure that on the first or second occasions (whether due to injury or consequent to a player(s) being temporarily suspended or ordered off) that a front row player is required to be replaced,*

*(b) in Cup Matches each team must have at least six (6) fit and able players in the squad who can play at hooker, tight head prop and loose head prop who are suitably trained and experienced to ensure that on the first occasion that a replacement in any front row position is required (whether due to injury or consequent to a player(s) being temporarily suspended or ordered off) **the team can continue to play safely with contested scrums [parenthesis added].***

4. Mr Astbury, on behalf of SWDCC, confirmed the breach of the regulations was the failure by RA to have a nominated front row player who at the first substitution could play at prop, thus allowing the team to continue play safely with contested scrums. It was as a consequence of this breach that the sanction was imposed.
5. RA submitted to the Panel that the regulations are not clear and that as far as they were aware they only needed to provide a front row forward. RA argued they had done that and the fact that that player could only hook did not place them in breach of the regulations. RA submitted that through no fault of theirs and unbeknown to them at the time the referee made a mistake in allowing them to continue with 15 men and that that mistake ought not to be interfered with and the match result be allowed to stand.
6. Further, it was tentatively suggested in documents which were before the Panel that one of the RA flankers could, if required, have played prop. However, given he was not nominated on the match card as a front row replacement and in any event would not have been able to play in the front row due to a neck injury the Panel concluded that this submission did not assist RA.

### **DECISION**

7. It emerged during the hearing (having been shown the original format of the regulations in a document entitled "Revised Important Notice" released on the 25.8.09 by the RFU) that the current edition of the regulations contain a mistake and the final phrase '*the team can continue to play safely with contested scrums*' should have been printed separately and below the preceding paragraphs (a) and (b). It would then be readily apparent that this phrase applies equally to both of the sub-paragraphs above.
8. It was however conceded by RA, albeit in hindsight, that regulation 13.5.10, even in the form it is currently drafted, did require RA to have a nominated front row forward available who could ensure, in the

situation which arose, that the team could continue to play safely with contested scrums.

9. Mr Astbury also made the submission that it is known custom amongst clubs at around the playing level of RA that, since the introduction of non-contested scrums, the first replacement has always been required to allow play at any position in the front row to continue safely with contested scrums.
10. The Panel found that the regulations did require RA to be in a position to replace their prop with a player who could continue with contested scrums. Their failure to do so left them in breach of the regulation. This breach occurred prior to the referee's mistake.
11. The Panel were not persuaded that the decision of the SWDCC was wrong, or one that it could not have reasonably come to, and whilst the Panel had some sympathy with RA in their interpretation of the regulations it cannot provide a defence to non-compliance. The Panel considered the sanction imposed and similarly did not feel it could be said to be wrong or one that SWDCC could not have reasonably have come to.
12. The appeal is, therefore, rejected and the decision of the SWDCC stands.

### **COSTS**

13. The panel order that the appeal deposit is forfeited in this case.

### **NOTE**

14. The Panel wishes to express its concern that the regulations surrounding this area are not as clear as they might be and contain a mistake which may lead to confusion. We strongly recommend that this is considered by the RFU and corrected to assist those dealing with the day to day administration of rugby in their compliance with the regulations. Apart from the error mentioned above, there are others, as Mr Astbury, a member of the RFU Competitions Committee recognised, and it is to be hoped that these will all be corrected in the next edition of the RFU Handbook.

**Signed:** Philip Evans, Chairman

**Date:** 29<sup>th</sup> March 2011