

CONSTITUENT BODY SHORT JUDGMENT FORM

Constituent Body	Cumbria		
Case number	10/1718	Select: <input checked="" type="checkbox"/> Red Card <input type="checkbox"/> Citing <input type="checkbox"/> Other	

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PARTICULARS OF OFFENCE

Player's surname	Flavell	Date of birth	10/10/1992
Forename(s)	Philip	RFU ID #	685635
Club name	Aspatria	Date of match	9/12/2017
Offence & Law charged <small>(e.g. 10.4(a) strike with head)</small>	10.4(m) - 2 yellow cards	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Home team	Wigton	Away team	Aspatria
Home team level*	2nd xv	Away team level*	2nd xv

***TEAM LEVEL REFERS TO 1ST XV, 2ND XV, COLTS, VETS, etc NOT WHOLE CLUB LEVEL**

HEARING DETAILS

Hearing date	27/12/2017	Hearing venue	Conference Call
Chairman	M J Neal	Secretary	D Morton
Panel member 1	J. Thompson	Panel member 2	T. Braithwaite
Decision	<input checked="" type="checkbox"/> Proven <input type="checkbox"/> Not Proven		

CASE SUMMARY & SANCTION

NOTE: UNDER RFU REGULATION 19.5.2, PLAYERS ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING

Total sanction	One Week	Entry Point	Low Entry
Banned from	10/12/2017	Banned to	06/01/2018
Ban split from	Click here to enter text.	Ban split to	Click here to enter text.
Free to play	Sunday 7 th January 2018	Costs	£25.00 plus VAT

NOTE: SANCTION IN MATCHES FOR AGE GRADE ONLY

NOTE: FOR SENDING OFF SUFFICIENT STATE UNDER TOTAL SANCTION

Signature (Chairman)	M J NEAL	Date	27/12/2017
Signature (Secretary)	DD MORTON	Date entered to GMS	03/01/2018

PLEASE TICK APPROPRIATE BOX: Intentional/deliberate 19.11.8(a) Reckless 19.11.8(b)

Gravity of player's actions 19.11.8(c)		Nature of actions 19.11.8(d)	
Two Yellow Cards in one match, the first after the referee had given a team warning, the player ran into make a tackle with no attempt to wrap his arms around the opponent, 10.4.(e). The second Yellow was for a high tackle which started around the shoulder but then rode up around the neck, 10.4. (e) i.		As described earlier.	
Existence of provocation 19.11.8(e)		Whether player retaliated 19.11.8(f)	
None		N/A	
Self-defence 19.11.8(g)		Effect on victim 19.11.8(h)	
n/a		None stated	
Effect on match 19.11.8(i)		Vulnerability of victim 19.11.8(j)	
None		Was in possession of the ball so would have expected to be tackled.	
Level of participation/premeditation 19.11.8(k)		Conduct completed/attempted 19.11.8(L)	
Both tackles were illegal and at best could be regarded as reckless.		Completed.	
Other features of player's conduct 19.11.8(m)			
The referee states in his report that he had had words with the player with regard to his temperament.			
Entry point number	Top end* Enter here	Mid-Range	Low End One (1) Week

NOTE: STATE NUMBER OF WEEKS OR MATCHES ENTRY POINT FOR OFFENCE – ENTRY POINT IN MATCHES FOR AGE GRADE ONLY

*If top end, the Panel should identify an entry point between the top end and the maximum sanction (19.11.9) as set out in Appendix 2

In making the above assessment, the Panel should consider the RFU guidance (Note 2) set out in Appendix 5 (page 366) to Regulation 19. Significant weight should be given to RFU regulation 19.11.8(a), 19.11.8(h) and 19.11.8(i).

Click here to enter text.

The Player committed two dangerous tackles, each of which were deemed yellow card offences. As per regulations the entry point for two yellows for foul play is one week. (Regulation 19. Appendix 1.)

AGGRAVATING FACTORS (REGULATION 19.11.10)

Player's status as an offender of the Laws of the game 19.11.10(a)

Previous 2 weeks for punch Dec. 2016

Need for deterrent 19.11.10(b)

Any other off-field aggravating factors 19.11.10(c)

None

Number added on:

None

NOTE: AGGRAVATING IN MATCHES FOR AGE GRADE ONLY

Acknowledgement of guilt 19.11.11(a)	Player's disciplinary record/good character 19.11.11(b)
Yes, immediately after the game although no mention of apology by the referee in his report.	The previous offences were not taken into account as it was a red card issued following two yellow cards.
Youth & inexperience of player 19.11.11(c)	Conduct prior to and at hearing 19.11.11(d)
N/A	Pleaded guilty in correspondence.
Remorse & timing of remorse 19.11.11(e)	Other off-field mitigation 19.11.11(f)
Player claimed to have apologised afterwards in the clubhouse.	None.

Number deducted:

None

NOTE: SUBJECT TO REGULATION 19.11.13, A DISCIPLINARY PANEL CANNOT APPLY A GREATER REDUCTION THAN 50% OF THE RELEVANT ENTRY POINT SUSPENSION

NOTE: MITIGATING IN MATCHES FOR AGE GRADE ONLY

ANY OTHER INFORMATION

The player was sent off during the game played on December 9th. Club officials completed the correct paperwork and advised the County Discipline Secretary on the 10th Dec. The Club held an Internal Disc. meeting on Tuesday 12th Dec at which the player was not present. The Player finally returned his Player Plea on the 19th December. The only Aspatia scheduled match after the sending off was a first XV match at Bolton on Saturday 16th December and this was not played due to a frozen pitch. He would have made himself unavailable for selection for that match due to not having returned his paperwork to the Club until the 19th Dec. (remaining provisionally suspended until case dealt with). The next Aspatia match is on Saturday 6th January 2018 and the committee felt that although the player had been sent off during a 2nd XV match he may have been selected for the first team on this day. The first match for which he could therefore be suspended is Saturday 6th January 2018.