

# CONSTITUENT BODY SHORT JUDGMENT FORM

Constituent Body	Cumbria		
Case number	11/1718	Select: <input checked="" type="checkbox"/> Red Card <input type="checkbox"/> Citing <input type="checkbox"/> Other	

**PAGE 1**

## PARTICULARS OF OFFENCE

Player's surname	Brown	Date of birth	10/08/1979
Forename(s)	Andrew	RFU ID #	849531
Club name	Wigton	Date of match	06/01/2018
Offence & Law charged <i>(e.g. 10.4(a) strike with head)</i>	10.4(a) - Punch or strike	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Home team	Oldham	Away team	Wigton
Home team level*	1st xv	Away team level*	1st xv

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

## HEARING DETAILS

Hearing date	11/01/2018	Hearing venue	Conference Call
Chairman	M J Neal	Secretary	D Morton
Panel member 1	J.Thompson	Panel member 2	M. Shields
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	Three Weeks	Entry Point	Mid Entry
Banned from	07/01/2018	Banned to	27/01/2018
Ban split from	<a href="#">Click here to enter text.</a>	Ban split to	<a href="#">Click here to enter text.</a>
Free to play	Sunday 28 <sup>th</sup> Jan 2018	Costs	£25 plus VAT

**NOTE: SANCTION IN MATCHES FOR AGE GRADE ONLY**

**NOTE: FOR SENDING OFF SUFFICIENT STATE UNDER TOTAL SANCTION**

Signature (Chairman)	MJ Neal	Date	12/01/2018
Signature (Secretary)	DD Morton	Date entered to GMS	16/01/2018

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)		
Red Card for punching an opponent	A player from Wigton had been tackled and tipped into the ground. The referee blew for a penalty but a melee ensued during which Brown got involved and punched an opponent..		
Existence of provocation 19.11.8(e)	Whether player retaliated 19.11.8(f)		
Yes, the player claims that he had taken an elbow to the face during the melee.	Yes, the player was annoyed at being elbowed.		
Self-defence 19.11.8(g)	Effect on victim 19.11.8(h)		
n/a	The player who was punched was uninjured.		
Effect on match 19.11.8(i)	Vulnerability of victim 19.11.8(j)		
A melee ensued after the tackle and continued after the Wigton player was seen to throw a punch.	The victim had allegedly caught the Wigton player in the face with his elbow and being involved in the fracas was probably expecting some retaliation.		
Level of participation/premeditation 19.11.8(k)	Conduct completed/attempted 19.11.8(L)		
One uppercut to the face.	Completed		
Other features of player's conduct 19.11.8(m)			
After the game the player apologised to the referee.			
Entry point number	Top end* Enter here	Mid-Range 4 weeks	Low End

**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).

A punch to the head incurs a Mid-Range entry point

**AGGRAVATING FACTORS (REGULATION 19.11.10)**

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

Previous 2 x Yellow Cards in 09/2015

Need for deterrent 19.11.10(b)

Punches to the head as with any contact with the head have to be dealt with accordingly.

Any other off-field aggravating factors 19.11.10(c)

The player got involved after a dangerous tackle and after the referee had blown his whistle for a penalty.

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	No Previous since 2015/6 season
Youth & inexperience of player 19.11.11(c)	Conduct prior to and at hearing 19.11.11(d)
n/a	Pleaded guilty by letter
Remorse & timing of remorse 19.11.11(e)	Other off-field mitigation 19.11.11(f)
Apologised afterwards in the clubhouse	None

Number deducted:

One Week

**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 Club held an internal meeting and banned the player for a period of three weeks.