

CONSTITUENT BODY SHORT JUDGMENT FORM

Constituent Body	CUMBRIA	
Case number	14/1718	Select: <input type="checkbox"/> Red Card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other

PAGE 1

PARTICULARS OF OFFENCE

Player's surname	HOLMES	Date of birth	18/01/1990
Forename(s)	JOSHUA	RFU ID #	438601
Club name	CARLISLE	Date of match	06/01/2018
Offence & Law charged <i>(e.g. 9.12 - strike with head)</i>	9.27 - Players must respect the authority of the referee.	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not Admitted
Home team	CARLISLE CRUSADERS	Away team	WINDERMERE
Home team level*	2 ND XV	Away team level*	1 ST XV

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

HEARING DETAILS

Hearing date	31/01/2018	Hearing venue	PENRITH RUGBY CLUB
Chairman	D.MacINNES	Secretary	DDM
Panel member 1	T.BRAITHWAITE	Panel member 2	J.THOMPSON
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	14 (FOURTEEN) WEEKS	Entry Point	MID RANGE
Banned from	01/02/2018	Banned to	08/05/2018
Ban split from	Click here to enter text.	Ban split to	Click here to enter text.
Free to play	09/05/2018	Costs	£100 PLUS VAT

NOTE: SANCTION IN MATCHES FOR AGE GRADE ONLY

NOTE: FOR SENDING OFF SUFFICIENT STATE UNDER TOTAL SANCTION

Signature (Chairman)	D.MacINNES	Date	01/02/2018
Signature (Secretary)	DDM	Date entered to GMS	Click here to enter text.

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)	
SERIOUS INTIMIDATING CONVERSATION WITH THE REFEREE AT THE OF, AND FOLLOWING THE MATCH		SEE ATTACHED MATCH OFFICIAL ABUSE REPORT FOR DETAIL	
Existence of provocation 19.11.8(e)		Whether player retaliated 19.11.8(f)	
NOT APPLICABLE		NOT APPLICABLE	
Self-defence 19.11.8(g)		Effect on victim 19.11.8(h)	
NOT APPLICABLE		SEE ATTACHED MATCH OFFICIAL ABUSE REPORT FOR DETAIL	
Effect on match 19.11.8(i)		Vulnerability of victim 19.11.8(j)	
NONE		THE REFEREE WAS VULNERABLE TO THIS UNEXPECTED VERBAL ASSAULT ON HIS INTEGRITY	
Level of participation/premeditation 19.11.8(k)		Conduct completed/attempted 19.11.8(L)	
PREMEDITATED		COMPLETED	
Other features of player's conduct 19.11.8(m)			
THE REFEREE FELT INTIMATED BY WHAT HE CONSIDERED WAS AN UNWARRANTED ATTACK ON BOTH HIS INTEGRITY AND ABILITY.			
Entry point number	Top end* Enter here	Mid-Range 12 (TWELVE) WEEKS	Low End Enter here

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.

AGGRAVATING FACTORS (REGULATION 19.11.10)

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

HOLMES HAD FOUR PREVIOUS OFFENCES RECORDED AGAINST HIM, ALL FOR PUNCHING OR STRIKING AN OPPONENT. HE HAD BEEN SUSPENDED FROM PLAYING FOR PERIODS OF 1, 2, 5 & 10 WEEKS WITHIN JUST OVER A 2 YEAR PERIOD

Need for deterrent 19.11.10(b)

YES – THE REFEREE IS AN INTEGRAL PART OF THE GAME AND WITHOUT WHOM THE GAME WOULD FAIL. SUCH ALLEGED CONDUCT HAS TO BE DETERRED VIGOROUSLY

Any other off-field aggravating factors 19.11.10(c)

THE CONDUCT COMPLAINED OF CONTINUED OFF THE FIELD. ADDITIONALLY, THE PLAYER FAILED TO ACKNOWLEDGE THE PROCEEDINGS AGAINST HIM AND FAILED TO ATTEND THE HEARING

Number added on:

2 (TWO) WEEKS

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)
NO	SEE ABOVE UNDER AGGRAVATING FACTORS
Youth & inexperience of player 19.11.11(c)	Conduct prior to and at hearing 19.11.11(d)
NOT APPLICABLE	WAS AWARE OF PROCEEDINGS, FAILED TO CO-OPERATE WITH HIS CLUB AND DID NOT ATEND THE HEARING
Remorse & timing of remorse 19.11.11(e)	Other off-field mitigation 19.11.11(f)
NONE	NONE

Number deducted:

0 (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 did not attend the hearing. The panel were satisfied that he was aware of the proceedings and that there had apparently been a lack of co-operation too between the player & his club. The panel entered a not guilty plea on behalf of Holmes and then proceeded to deal with the case. The panel were disappointed that there had been no acknowledgement by the player; his failure to attend the hearing; his previous record; that there was an inference that the referee had cheated coupled with the apparent tone and manner of his conversation with the referee (although they did note that there had been no foul language reported) and that is was disappointing that Holmes, as the team captain had acted in such a way when he should have been acting as the conduit for good behaviour between his team and the referee.