

CONSTITUENT BODY SHORT JUDGMENT FORM

Constituent Body	Cumbria		
Case number	20/1718	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	Burnyeat	Date of birth	23/10/1988
Forename(s)	Jonathon	RFU ID #	236736
Club name	Silloth	Date of match	2/02/2018
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	Silloth	Away team	Egremont
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	09/02/2018	Hearing venue	Conference Call
Chairman	M J Neal	Secretary	D Morton
Panel member 1	D. Macinnes	Panel member 2	Click here to enter text. I.Skillen
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	Four Weeks	Entry Point	Low Entry
Banned from	4/02/2018	Banned to	03/03/2018
Ban split from	Click here to enter text.	Ban split to	Click here to enter text.
Free to play	Sunday 4 th March 2018	Costs	£25

NOTE: SANCTION IN MATCHES FOR AGE GRADE ONLY

NOTE: FOR SENDING OFF SUFFICIENT STATE UNDER TOTAL SANCTION

Signature (Chairman)	MJNeal	Date	09/02/2018
Signature (Secretary)	DMorton	Date entered to GMS	12/02/2018

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)		
Player received Two Yellow Cards in the match	The first Yellow Card was for a Punch which the Referee saw, although he did not see it land, the opponents claimed that it had landed. The Second Yellow was for Referee Abuse		
Existence of provocation 19.11.8(e)	Whether player retaliated 19.11.8(f)		
Player stated that he was frustrated with the referee	N/a		
Self-defence 19.11.8(g)	Effect on victim 19.11.8(h)		
n/a	No injury reported		
Effect on match 19.11.8(i)	Vulnerability of victim 19.11.8(j)		
Silloth players , coach and spectators were constantly questioning the referees decisions	Yes, the referee felt intimidated.		
Level of participation/premeditation 19.11.8(k)	Conduct completed/attempted 19.11.8(L)		
The player shouted at the referee, Turn Round and Fucking speak to us.	Completed		
Other features of player's conduct 19.11.8(m)			
No apology to the referee in the clubhouse. The player claimed that the referee did not go into the clubhouse after the game.			
Entry point number	Top end* Six Weeks	Mid-Range	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).

Click here to enter text.

The first yellow card was for Foul Play, the Second Yellow Card was for Match Official Abuse. The Discipline Secretary with the approval of the Discipline Chairman felt that as either Yellow Card could have been Red, then the more serious offence of Referee Abuse would be entered on the Charge Sheet.

AGGRAVATING FACTORS (REGULATION 19.11.10)

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

Previous offences for Foul Play in 11/2012, Foul Play 02/13, Foul Play 09/13, Foul Play 03/15. A total of 14 weeks suspensions.

Need for deterrent 19.11.10(b)

Referee abuse cannot be tolerated

Any other off-field aggravating factors 19.11.10(c)

No apology

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, by letter.	Poor Record as shown above.
Youth & inexperience of player 19.11.11(c)	Conduct prior to and at hearing 19.11.11(d)
Player is 29	Pleaded guilty by letter
Remorse & timing of remorse 19.11.11(e)	Other off-field mitigation 19.11.11(f)
None	None

Number deducted:

Two Weeks

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 panel members were of the opinion that either Yellow Card could have been a straight Red. The Panel felt that although the level of abuse was at the Low End of the Scale and the Entry Point was 6 weeks, the Player had Pleaded Guilty and it was felt that with his Previous Record that a Sanction of Four Weeks was an appropriate conclusion.