

CONSTITUENT BODY SHORT JUDGMENT FORM

Constituent Body	Cumbria	
Case number	29/1718	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	Dixon	Date of birth	03/04/1984
Forename(s)	Philip Matthew	RFU ID #	232485
Club name	Aspatria	Date of match	28/04/2018
Offence & Law charged <small>(e.g. 10.4(a) strike with head)</small>	10.4(a) - Punch or strike	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Home team	Littleborough	Away team	Aspatria
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	04/05/2018	Hearing venue	Conference Call
Chairman	M J Neal	Secretary	D Morton
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	TWO WEEKS	Entry Point	MID ENTRY
Banned from	29/04/2018	Banned to	up to and including the date on which the 1 st league match of the 2018/2019 season is played, or the 1 st cup match of the Cumbria Cup for that season is played, whichever is the sooner.
Ban split from	See above	Ban split to	See "any other information" heading.
Free to play	Sunday 2 nd September 2019 or such other date dependant on the above.	Costs	£25 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	07/05/2018
Signature (Secretary)	D D Morton	Date entered to GMS	Click here to enter text.



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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)	
Threw a punch at an opponent.		Swing a punch at the head of an opponent, catching him on the ear, causing a small cut and the player to fall to the ground.	
Existence of provocation 19.11.8(e)		Whether player retaliated 19.11.8(f)	
None stated by the referee but player in his appearance before his Club Disciplinary panel claimed to have been held back by his opponent		N/A	
Self-defence 19.11.8(g)		Effect on victim 19.11.8(h)	
N/A		No lasting damage, small cut to the ear but was able to play on.	
Effect on match 19.11.8(i)		Vulnerability of victim 19.11.8(j)	
None		The victim of the attempted punch was allegedly holding the Aspatria player into the ruck in an attempt to stop him chasing the ball to stop the clearance kick.	
Level of participation/premeditation 19.11.8(k)		Conduct completed/attempted 19.11.8(L)	
Threw a punch towards an opponent.		Completed.	
Other features of player's conduct 19.11.8(m)			
Apologised to the referee immediately after the game.			
Entry point number	Top end* Enter here	Mid-Range 4 weeks – the minimum entry point for a punch to the head.	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).

The punch was to the head of the opponent which merits a mid range entry point of 4 weeks.

AGGRAVATING FACTORS (REGULATION 19.11.10)

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

Previous red card in September 2013 but deemed sending off sufficient.

Need for deterrent 19.11.10(b)

Yes – the reason for mid entry point.

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 and did not argue at the time of the offence.	Previous in 2013.
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:

2 (Two).

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

AS THE SEASON IS NOW COMPLETED APART FROM PLAY-OFF GAMES, THE PANEL BEING AWARE THAT ASPATRIA ARE INVOLVED IN A PLAY-OFF GAME ON EITHER THE 12TH OR 19TH MAY, IMPOSED THE TWO WEEK SANCTION TO COVER THE PLAY-OFF GAME AND THE FIRST LEAGUE OR CUP MATCH AT THE START OF NEXT SEASON. N.B: the Aspatria club when submitting the report on their Internal disciplinary meeting stated that the player would have been selected for the Cumbria county senior matches on the 5th and 12th of May and requested that these games be considered as part of any sanction imposed. From enquiries made, the player was not part of the county squad and had not attended any county squad training nights. The panel therefore imposed the two match ban on Aspatria club matches. Additionally, Regulation 19.11.16 is applied and requires that: (a) be applied universally by club and constituent body such that the player may not play the game (or any form thereof) or be involved in any on field match day activities anywhere during the period of suspension; b) not allow the player to avoid the full consequences of his action by, for example, playing in matches prior to the commencement of his suspension during a period of inconsequential per-season and/pr so-called friendly matches; c) apply and be served when the player is scheduled to play; d) be imposed until a stated date which should be fixed after taking into consideration all playing consequences of such suspension; and be effective immediately (subject to 19.11.17 (b)).