

# RFU SHORT JUDGMENT FORM



Match (home)	Clifton RFC	Vs (away)	Hinckley RFC
Club's Level	4	Competition	National 2 West
Date of Match	05/11/2022	Match Venue	Clifton RFC

Particulars of Offence			
Player's Surname	Vowles	Date of Birth	18/08/1998
Forename(s)	Rory	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Hinckley RFC	RFU ID No.	110594
Type of Offence	5.12		
Law 9 Offence	Conduct Prejudicial To The Interests Of The Union And The Game, Contrary To RFU Rule 5.12		
Sanction	2 weeks		

Hearing Details			
Hearing Date	09/11/2022	Hearing venue	Papers only
Chairmen/SJO	Sean Enright	Panel Member 1	Mitch Read
Panel Member 2	Philip Davies	Panel Secretary	Rebecca Morgan
Appearance Player	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Appearance Club	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Player's Representative(s):	Other attendees:

List of documents/materials provided to player in advance of hearing:
Charge sheet Match Official Abuse report dated 06/11/2022 RFU Core Values Letter to David Barnes, RFU Head of Discipline from Mike Priestly and Dr Tim Miller Newspaper article in relation to rise in abuse of officials Match Official Abuse - A Guide for Referees document Match Official Abuse survey outcomes - May 2022 Extract from RFU Regulations, Appendix 2 Minutes of the Hinckley RFC disciplinary hearing



The MOA report provided the following detail.

"The game finished with a try to Clifton and a successful conversion. After the final whistle, players and officials were shaking hands, inside the Hinkley 22m. As Hinkley 10, Rory Vowles passed me, less than 1m distance, he said loudly, and aimed at myself, but without making eye contact "That's a fucking disgrace". It was clear that it was aimed at myself and not towards anyone else.

As I called him over and the Hinkley captain over, he repeated this again "Thats a fucking disgrace" before making his way over to the discussion. I informed the Hinkley captain what had occurred and advised it would be reported. The player was unhappy and continued to mutter to himself as I spoke to the captain. He was instructed to apologise by the Hinkley captain, and did so under duress.

The game was recorded but because it happened after the final whistle, the incident was not recorded on video."

None

## Summary of Player's Evidence

Hinckley RFC held an internal club disciplinary hearing on the 7 November 2022.

They confirmed that Rory admitted to the offence and therefore pleaded guilty.

- Rory has said to the panel he is extremely sorry for his actions and knows he was completely out of line with his comments and wants to extend his apology to not just the referee, but all 3 match officials and he knows he has let himself, his teammates and game down.
- Rory explained that he felt extremely frustrated on the final whistle – he felt the team had a very good chance of beating Clifton going into the game and as fly – half was a key part of this. He felt that in the game the referee made several marginal decisions which went against his side which materially impacted the game, and he allowed this frustration to boil over.
- Rory accepts the fact he stated what he did on two occasions, and although accepts that the captain did ask him to apologize, he says he would have done of his own accord, if it hadn't been requested, he do so by the captain at the end of the conversation. He then moved away without incident to the end of game tunnel.

The Club considered the sanction table and specifically Law 9.28 - A Player must not disrespect the authority of a match official. The Club considered that the appropriate entry point was mid-range due to the use of a swear word and the fact it was repeated more than once. They applied an entry point of 4 weeks before any mitigation.

In relation to mitigation, the Club panel felt that full available mitigation of 50% should be given, due to Rory's previous clean record, the fact he apologised to the match official, his guilty plea, and his conduct since the event.

This resulted in a final sanction of 2 weeks. The Player will also undertake an RFU Referee's course before the end of the 22/23 season and referee at least two junior fixtures following on from this. Engagement in this will be monitored by the club's DoR.

## Findings of Fact

As per the Referee's report.

## Decision

Breach admitted  Proven  Not Proven  Other Disposal (please state below)

## SANCTIONING PROCESS



### Assessment of Seriousness

#### Assessment of intent - Ref 19.11.8

PLEASE TICK APPROPRIATE BOX

19.11.8(a) Intentional



19.11.8(b) Reckless



#### Reasons for finding as to intent:

The comments said could only be intentional in nature. The repeated nature of the comments further endorsed this point.

#### Nature of actions - Reg 19.11.8(c)

A direct comment on the Referee's performance which was aimed in the Referee's direction initially and then repeated directly.

Existence of provocation - Reg 19.11.8(d)

None

Whether player retaliated - Reg 19.11.8(e)

Not applicable

Self-defence - Reg 19.11.8(f)

Not applicable

Effect on victim - Reg 19.11.8(g)

Not applicable

Effect on match - Reg 19.11.8(h)

None

Vulnerability of victim - Reg 19.11.8(i)

Not applicable

Level of participation/premeditation - Reg 19.11.8(j)

This was not a premeditated event but a reaction to a perceived injustice.

Conduct completed/attempted - Reg 19.11.8(k)

The conduct was completed.

Other features of player's conduct - Reg 19.11.8(l)

None

Assessment of Seriousness Continued

Entry point

<u>Low-end</u>	<u>Weeks</u>	<u>Mid-range</u>	<u>Weeks</u>	<u>Top-end*</u>	<u>Weeks</u>
<input type="checkbox"/>		<input checked="" type="checkbox"/>	4	<input type="checkbox"/>	

\*If Top End, the JO or Panel should identify, if appropriate, an entry point between the Top End and the maximum sanction and provide the reasons for selecting this entry point, below.  
In making the above assessment, the Panel should consider the RFU Practice Note as set out in Appendix 5 to Regulation 19. Significant weight should be given to RFU regulation 19.11.8(a), 19.11.8(h) and 19.11.8(i).

Reasons for selecting entry point:

The swearing and repetitive nature of the comments moved it from low end to mid-range.

Relevant Off-Field Mitgating Factors - Reg 19.11.10

<b>Acknowledgment of the commission of foul Play &amp; timing - Reg 19.11.10(a)</b>	<b>Player's disciplinary record - Reg 19.11.10(b)</b>
The Player accepted the charge.	He has a clean record.
<b>Youth and/or inexperience of player - Reg 19.11.10(c)</b>	<b>Conduct prior to and at hearing - Reg 19.11.10(d)</b>
Not applicable	The Player engaged with the Club disciplinary hearing and assisted the process by providing evidence on the papers.



Remorse and timing of Remorse - Reg 19.11.10(e)	Other off-field mitigation - Reg 19.11.10(f)
Noted in Club disciplinary minutes	None

Number of weeks deducted: 2

**Summary of reason for number of weeks deducted:**

As per the details above

**Additional Relevant Off-Field Aggravating Factors - RFU Regulation 19.11.13**

**Player's status as an offender of the laws of the game - Reg 19.11.13 (a)**

Not applicable

**Need for deterrent to combat a pattern of offending - Reg 19.11.13(b)**

Not applicable in this case

**Any other off-field aggravating factor that the disciplinary panel considers relevant and appropriate - (including poor conduct prior to or at the hearing) Reg 19.11.13 (c)**

Not applicable

Number of additional weeks: 2

Games for meaningful sanctions:

12.11 v Newport (Salop)  
26.11 v Luctonians

Sanction

**NOTE:** PLAYER ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING

Total sanction	2 weeks	Sending off sufficient	
Sanction commences	08/11/2022		
Sanctions concludes	28/11/2022		
Free to play	29/11/2022		
Final date to lodge appeal	10/11/2022		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	£125		

Signature (JO or Chairman)	Sean Enright	Date	09/11/2022
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**NOTE:** YOU HAVE THE RIGHT OF APPEAL AGAINST THIS DECISION AS SET OUT IN REGULATION 19.12 OF THE DISCIPLINARY REGULATIONS. YOUR ATTENTION IS SPECIFICALLY DRAWN TO THE TIME LIMIT AND DIRECTIONS/REQUIREMENTS RELATING TO AN APPEAL SET OUT IN REGULATION 19.12.9

ANY PERSON SUSPENDED UNDER THESE REGULATIONS IS REMINDED THAT UNDER RFU REGULATION 19.11.16 THE SUSPENDED PERSON MAY NOT PLAY THE GAME (OR ANY FORM THEREOF) OR BE INVOLVED IN ANY ON-FIELD MATCH DAY ACTIVITIES ANYWHERE WHICH INCLUDES (BUT IS NOT LIMITED TO) ACTING AS WATER CARRIER/ RUNNING ON A TEE ETC