

# RFU SHORT JUDGMENT FORM



Match	Chester RFC	Vs	Wharfedale RUFC
Club's Level	4	Competition	National Two North
Date of Match	26/03/2022	Match Venue	Chester RFC

Particulars of Offence			
Player's Surname	Hedgley	Date of Birth	07/09/1995
Forename(s)	George Martin	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Wharfedale RUFC	RFU ID No.	680961
Type of Offence	Red Card		
Law 9 Offence	9.28 - Verbal abuse of a match official		
Sanction	3 weeks		

Hearing Details			
Hearing Date	29/03/2022	Hearing venue	Remote by zoom
Chairmen/SJO	Sir James Dingemans	Panel Member 1	Mitch Read
Panel Member 2	Daniel Gore	Panel Secretary	Rebecca Morgan
Appearance Player	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Appearance Club	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Player's Representative(s):	Other attendees:
Antony Davies (Discipline Secretary)	Matthew Beesley (player at Wharfedale RUFC)

List of documents/materials provided to player in advance of hearing:
RFU bundle including footage and additional footage provided by Wharfedale RUFC.

The referee reported that: "Chester had scored with a pick and go from the base of a ruck in the 80th minute and I had followed in to in-goal to see the ball grounded. When the try was awarded, Wharfedale's captain tried to engage in a conversation with me about what he believed to be a knock-on in the build-up to the try, which I ignored.

On the goal line, approximately 20m in from the touchline nearest the clubhouse, Wharfedale 3 starts to try to grab Chester 20. Chester 20 pushes back towards 3, who throws between three and four punches with a closed fist, making contact with Chester 20's head before they both separate. I called, 'No, no, no, no, no, 20 and 3' to stop them before any foul play occurred but this did not prevent the actions of the players.

Whilst this situation was finishing, I had a call from AR1, who was between the goalposts, for foul play. After the conversion was attempted and before the final whistle, I consulted with both ARs to confirm the facts of the two foul play incidents. AR1 said, "Clearly the captain disagreed with the decision from earlier on and I said, 'that's not what I've seen, a knock on'. He then told me I was fucking useless". I issued Wharfedale 3 with a red card and then Wharfedale number 8 for match official abuse.

The Wharfedale captain came to see me after the game, outside the clubhouse on his own. He apologised for the way he spoke to AR1, saying there was no excuse for it and it was because he felt the game had been taken out of his his hands. He apologised again, saying there was no excuse and we shook hands and wished each other all the best."

The footage showed the try being scored and the audio on the tape shows that the player asked the referee whether he had seen the knock on. This was done without abuse, although in a questioning manner ("how did you not see that sir"). As the player was the captain he was entitled to raise whether the referee might want to consult with the assistant referee about whether there had been a knock on. The exchange with the assistant referee, who is also a match official, was not caught by the footage or by the audio.

There was other footage provided on behalf of the player which shows the line out near the half way line where it is contended that there was a knock on missed by the referee following which the Chester team break through to take play into Wharfedale's 22.

There was no other relevant evidence.

## Summary of Player's Evidence

A written document was submitted on behalf of the player which made it clear that this had been a difficult season. The team was fifth from the bottom of the League. There had been some heavy defeats and there was a points difference of minus 225. The team consisted mainly of young players, and the player was the captain.

The document went on to identify that in the game against Chester, 8 of the starters and 4 of the bench players were 21 or under and had come through the Colts side. In the game, and having played well at 72 minutes, Wharfedale were ahead 16-12. It was the last play of the game, with a Chester lineout on halfway. They secured the ball but the Chester 9 clearly knocked the ball forward back into the ruck, where it was picked up by a colleague in an offside position. He then ran through unopposed into the Wharfedale 22. The ball was recycled twice and ended with a ruck on the line. 9 Chester again went to pick up the ball, but dropped it forward. He regathered it and scored.

The player asked the Referee about the two knock-ons and was told they had not been seen. The player then approached the assistant referee and asked the same question. The player was told that neither of the knock-ons had been seen and in frustration he used the words. The player acknowledged an accumulation of frustration leading to his statement. The player apologised as detailed in the report of the incident. The player has two previous matters, one for striking in 2016 and one for stamping in 2018. He has remained at Wharfedale throughout his adult career. He has no previous matters for Match Official abuse or disrespecting Match Officials.

## Findings of Fact

We found that the player had asked the assistant referee whether he had seen knock ons and when the assistant referee said he had not, the player told the assistant referee that he was "fucking useless".

We accept that, as submitted by Mr Davies on behalf of the player, this statement was not shouted and that there was no violence or threat made to the assistant referee. We also accept that it did not impugn the assistant referee's integrity. Mr Davies asked the panel to determine whether this was in fact "disrespect of a match official" contrary to law 9.28 and not "verbal abuse of a match official" contrary to law 9.28.

In our judgment this was an offensive statement ("fucking") which impugned the assistant referee's competence ("useless") and it was directed at and to the assistant referee. We therefore find that this was verbal abuse of a match official.

### Decision

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

It was accepted that the player had infringed the provisions of law 9.28, and that the red card threshold had been met, but it was submitted that this might be "disrespect" of the authority of a match official, and not "verbal abuse" of a match official. For the reasons set out above in our findings of fact, we are satisfied that this was verbal abuse of a match official.

## 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 player deliberately spoke to the assistant referee.

Nature of actions - Reg 19.11.8(c)

The player called the assistant referee "fucking useless".

Existence of provocation - Reg 19.11.8(d)

There was no provocation. It is fair to note that Wharfedale were aggrieved that what they contended were knock ons had not been identified, but it was common ground that this did not begin to justify abusing a match official.

Whether player retaliated - Reg 19.11.8(e)

There was no retaliation.

Self-defence - Reg 19.11.8(f)

There was no self-defence.

Effect on victim - Reg 19.11.8(g)

The assistant referee reported the matter to the referee, but otherwise did not seem affected.

Effect on match - Reg 19.11.8(h)

There was no effect on the match.

Vulnerability of victim - Reg 19.11.8(i)

All match officials require to be protected from abuse.

Level of participation/premeditation - Reg 19.11.8(j)

The statement appears to have been made in the heat of the moment.

Conduct completed/attempted - Reg 19.11.8(k)

The statement was made.

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

The player apologised.

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 checked="" type="checkbox"/>	6 weeks	<input type="checkbox"/>		<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:

We have selected a low end entry point because this was a short, but offensive, outburst directed to the assistant referee in the heat of the moment which does not appear to have been overheard by others.

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 apologised and accepted the offence.	The player has two matters recorded against him, but nothing in relation to match officials.
<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 complied fully with the disciplinary process.



Remorse and timing of Remorse - Reg 19.11.10(e)	Other off-field mitigation - Reg 19.11.10(f)
The player seemed genuinely disappointed in himself and the example he had set to a young side.	The player has captained a side through a very difficult season

Number of weeks deducted: **3 weeks**

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

We considered that the player was entitled to full mitigation of 50 per cent in circumstances where he had apologised and co-operated fully with the disciplinary process, and where the previous matters recorded against him did not involve abuse or disrespect of match officials.

**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)**

No relevant previous matters.

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

Not relevant.

**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)**

None relevant.

Number of additional weeks: **0 weeks**

Games for meaningful sanctions:

2 April 2022 Tynedale;  
9 April 2022 Loughborough Students;  
16 April 2022 Harrogate.

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	3 weeks	Sending off sufficient	
Sanction commences	29/03/2022		
Sanctions concludes	18/04/2022		
Free to play	19/04/2022		
Final date to lodge appeal	31/03/2022		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	The costs of £200 were shared with another Wharfedale player Matthew Beesley.		

Signature (JO or Chairman)	James Dingemans	Date	30/03/2022
----------------------------	-----------------	------	------------

**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