

RFU SHORT JUDGMENT FORM



Match	Plymouth Albion RFC	Vs	Sale F.C.
Club's Level	3	Competition	National One
Date of Match	17/09/2022	Match Venue	Plymouth Albion

Particulars of Offence			
Player's Surname	Lamb	Date of Birth	18/05/2086
Forename(s)	Ryan	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Plymouth Albion	RFU ID No.	RFU/2223/112
Type of Offence	5.12		
Law 9 Offence	5.12 charge - MOA (disrespect)		
Sanction	3 weeks		

Hearing Details			
Hearing Date	21/09/2022	Hearing venue	Zoom
Chairmen/SJO	Oliver Clark	Panel Member 1	Alastair Campbell
Panel Member 2	Bobby Graham	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:
Nigel Sparrow (Director of Rugby)	Angus Hetherington (RFU)

List of documents/materials provided to player in advance of hearing:
RFU Report (inc ref report, core values, letter to Dave Barnes from Referees Union (11 Nov 21), sanction table). Ryan Lamb Statement RFU Written Submission (Angus Hetherington) Referee's statement on the affect of the abuse MOA Survey

This incident occurred after the match had concluded. Ryan Lamb (RL) is an Assistant Coach for Plymouth Albion RFC (PA), now starting his 3rd season of coaching, having retired from professional rugby as a player.

It was initially alledged that there were three instances of MOA.

1. Immediately after the game the referee was approached by RL during the post-game hand shakes. RL stated, "How do I make a complaint, that is a fucking embarrassment"
2. RL then left to join his group of players. The referee stated that while talking to the players RL continued to look in his direction and he could hear the words "Fucking Joke" being said repeatedly.
3. RL then approached the referee again and said, "you are going to cost people jobs" to which the referee said, "Coach walk away or you are going to get yourself in more trouble"
RL accepted points 1 & 3 but refuted point 2.

Angus Hetherington (AH) was content that the panel need not consider point 2 and that the RFU were prepared to proceed on the basis of the admissions concerning points 1 & 3 only.

There was no other evidence available in terms of the incident.

The referees statement in relation to the affect that this behaviour had on him was,

"I found Ryan's comments very disappointing and somewhat upsetting. Whilst due to my job roles away from Refereeing I have a thick skin, the comments on Saturday left me upset throughout Saturday evening and into Sunday. I have traditionally found Plymouth a great club to referee at and Ryan's comments have certainly changed that."

Summary of Player's Evidence

The player accepted the referees report and did not seek to challenge to submissions made by AH at the hearing. With the RFU having agreed to not take the allegation in respect of what may or may not have been said in the team huddle further, there was no challenge to either of the remaining elements of this behaviour.

RL stated that his language was borne out of frustration, being as he was passionately invested in the team, but that this did not excuse his actions. He stated he was not aggressive in either his tone or his body language, maintaining personal space between himself and the referee on both instances.

The majority of RL's evidence was to express remorse for his actions and to accept that they were unacceptable. It was explained that on the Tuesday after the game, RL had gathered the senior team and coaching staff together voluntarily and told them what had happened, expressing (the panel was informed by Nigel Sparrow) genuine remorse and disappointment at himself in having let both himself and the club down.

RL went on to explain that he would need to adopt coping mechanisms, and volunteered that he intended to watch games from the stand rather than become involved on the touchline, and that he would reserve his coaching to the changing room rather than out on the field.

The panel felt the remorse shown showed a good deal of maturity and was sincere.

Findings of Fact

There was no dispute as to the facts. RL accepted that he said to the referee, "How do I make a complaint, that is a fucking embarrassment" and later, "you are going to cost peoples jobs"

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 player approached the referee on two occasions

Nature of actions - Reg 19.11.8(c)

There was a short discussion on whether this amounted to disrespect/dissent or abuse. AH submitted on behalf of the RFU that this was disrespect. This was not a personal attack on the referee or his integrity, rather this was an expression of frustration over some of the decisions that the referee had made.

Existence of provocation - Reg 19.11.8(d)

Nil

Whether player retaliated - Reg 19.11.8(e)

N/A

Self-defence - Reg 19.11.8(f)

N/A

Effect on victim - Reg 19.11.8(g)

See referee's statement above

Effect on match - Reg 19.11.8(h)

Nil

Vulnerability of victim - Reg 19.11.8(i)

Although not physically vulnerable, this sort of behaviour can be extremely threatening and unsettling to referees, and the referee's evidence was that this did have an effect on him in the following days.

Level of participation/premeditation - Reg 19.11.8(j)

Premeditated

Conduct completed/attempted - Reg 19.11.8(k)

Completed

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

--

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:

As this was charged under 5.12, the panel remained at large in terms of sanction. The panel chose to adopt the 9.28 guidance, using the offence of 'disrespect' as the means on which to best judge the appropriate sanction.

While the language was not the worst in terms of disrespect, it struck the panel as significant that the disrespectful language was used on more than one occasion, and on the second occasion it was such that the referee was given cause to warn RL against any further outbursts. The panel felt therefore that the prolonged/repeated nature was such that it merited a mid-range entry point.

Relevant Off-Field Mitgating Factors - Reg 19.11.10

<u>Acknowledgment of the commission of foul Play & timing - Reg 19.11.10(a)</u>	<u>Player's disciplinary record - Reg 19.11.10(b)</u>
RL admitted the offending both prior to the hearing and again at the hearing	Single red card as a player, not considered relevant
<u>Youth and/or inexperience of player - Reg 19.11.10(c)</u>	<u>Conduct prior to and at hearing - Reg 19.11.10(d)</u>
Inexperienced coach, but plenty of experience in the game	Conduct in the hearing was good, however there had been no attempt to apologise to the referee.

Remorse and timing of Remorse - Reg 19.11.10(e)	Other off-field mitigation - Reg 19.11.10(f)
There was genuine remorse in the hearing and his behaviour in respect of his club demonstrated an acknowledgement of his failing.	

Number of weeks deducted: 1

Summary of reason for number of weeks deducted:
The panel felt that while there were many commendable aspects to RL's behavior subsequent to the incident, there had been no attempt to convey his apology to the referee, who ultimately was the victim in this. The panel did not therefore allow for a full 50% reduction.

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)
N/A
Need for deterrent to combat a pattern of offending - Reg 19.11.13(b)
N/A, albeit the panel did recognise the point made by AH from the MOA survey concerning the alarming rise in MOA offences.
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)
N/A

Number of additional weeks: 0

Games for meaningful sanctions:

24.09 v Cinderford
01.10 v Esher
15.10 v Chinnor

The panel agreed that RL could continue to coach during this period, but that for the purposes of match days his conduct was to be akin to that of a paying spectator. That is to say, he was to have no contact with the team, by any means, for the 2 hours prior to, and the two hours subsequent to, any matches played during this period.

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	17/09/2022		
Sanctions concludes	17/10/2022		
Free to play	18/10/2022		
Final date to lodge appeal	07/10/2022		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	£200		

Signature (JO or Chairman)	Oliver Clark	Date	23/09/2022
----------------------------	--------------	------	------------

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