

A large, light grey circular graphic is centered on the page. It consists of two concentric rings, with the outer ring being a darker shade of grey and the inner ring being a lighter shade. The text 'CASE 40 – Decision' is centered within the space between these two rings.

# CASE 40 – Decision

## Introduction

1. The Disciplinary Panel was convened on 21 February 2013 to consider the charge of misconduct and/or bringing BUCS into disrepute, under Regulation 17(1) of the British Universities & Colleges Sport Regulations ("BUCS").
2. The charge relates to submitting a false score 10:10 regarding a fixture between University A and University B Universities on 15 February 2013, a match that in fact did not take place. This is in breach of Regulation 9.5 of the BUCS Regulations which states:

*"Under no circumstance can a false result be added to the BUCS website. Institutions known to have entered an incorrect result will be subject to disciplinary action."*

3. Both Universities have admitted the charges.
4. The Disciplinary Panel read the formal written responses served by both Universities and a written statement provided by Coach A, the coach for University A. Coach B, coach for University B, did not serve a written statement. Neither Coach A nor Coach B attended the Disciplinary Hearing. We were informed that Coach A has been suspended from coaching duties for University A.
5. The Disciplinary Panel asked questions of the University representatives and then gave both representatives the opportunity to make any submissions in respect of the disciplinary charges, including penalty. The Panel then retired to reach its decision, which was given orally on the day of the Disciplinary Hearing with reasons to follow.

## Background

6. The Disciplinary Panel made the following findings of fact based on the evidence available.
7. On 12 December 2012 the original fixture between the Universities was called off because of a frozen pitch and was re-arranged for 1 February 2013 at St Helens. The deadline for playing the fixture was 17 February 2013. On 29 January 2013 the match was called off because the pitch was underwater. On the same day, University A offered University B two dates to rearrange the match; Friday afternoon 1 February 2013 and Saturday morning 2 February 2013. University B was unable to play on Friday afternoon 1 February 2013 since this clashed with its academic timetable. Saturday 2 February 2013 was unsuitable because of an international fixture between Wales v Ireland on that day and the advice from WRU that matches should not be played on the day of international fixtures.

8. On 31 January 2013 University B offered University A two dates; Friday evening 8 February 2013 and Sunday afternoon 10 February 2013. These dates were unsuitable for University A. Both Universities sought advice from BUCS. On 1 February 2013, Tom Gee of BUCS advised University B that if University A were unable to do the two dates offered by University B, University A were entitled to a "walkover". A walkover meant 5 points to University A and 5 points taken away from University B. Mr Gee urged both sides to get the match played, failing which University A would be entitled to take the walkover.

9. On 4 February 2013, University B's coach Coach B sent an email to Coach A, coach for University A. He offered several alternative dates for the match to be played by the deadline on 17 February 2013. Coach B stated in his email:

*"...given the relationship we have always enjoyed with [University A] we would guarantee not voiding a game with them in any circumstances.*

*(Worst case scenario we'd give them a score Win)."*

10. In a later email sent the same day by Coach B stated:

*"[Coach A]*

*I give you my word I would not Void a game. I'd give you a result at worse case scenario.*

*[Coach B]"*

11. The Disciplinary Panel were informed by University A's representative that no emails had been found containing any replies from Coach A to the emails from Coach B.

12. Precisely what happened next is not entirely clear. What is clear is that both coaches agreed to play the match on 15 February 2013, by the deadline on 17 February 2013. In University A's written response it is alleged that Coach A, the University A coach, contacted Coach B to explain that for a variety of reasons including player injuries University A were unable to play the match on 15 February 2013. University A's written response goes on to state:

*"Richard's initial desire was to revert back and input a walkover. [University A] 4ths had played [University B] 4ths earlier that week which had resulted in a draw and it was suggested to carry such result in for this match. After looking at the league results and recognising that entering either a walkover or a draw result*

*would not impact final league placings, RL instructed ST of a score which Sadie inputted on Friday."*

13. What is clear is that both coaches agreed to submit a false score draw 10:10, when in fact no match had been played. What is not clear on the evidence available is who suggested this. The Disciplinary Panel was told that the coaches came to an oral agreement regarding this matter, and that no email correspondence exists in support of this agreement.
14. In terms of points allocation, a win is 4 points. A walkover would have been 5 points to University A and minus 5 points to University B. A draw is 2 points to each team. No points are given for a void match. The top 4 placed University teams from the BUCS Premier South A League qualify for the Championship competition.

### **Conclusions and Penalty**

15. Both Universities have admitted the charge of misconduct and/or bringing the BUCS into disrepute, under Regulation 17(1) of the BUCS Regulations.
16. The Disciplinary Panel found it difficult to identify a motive behind the coach's agreement in particular in the absence of either coach being present at the Disciplinary Hearing to be questioned. We find however that a draw did not benefit either University in terms of its actual League position. Any result would not have improved University B's position in the League. The effect of a draw for University A would have been 4<sup>th</sup> position and hence a qualifying place for the Championship. With the match declared void, University A was in fact in 5<sup>th</sup> position. Ironically, had the match been awarded to University A as a walkover, University A would have been in 4<sup>th</sup> position in any event. It appears to the Disciplinary Panel on the evidence available that the motive behind the agreement was to preserve the close relationship that had developed between both Universities.
17. However, that is not an excuse for such serious misconduct. Submitting a false score draw when in fact no match was played is a serious matter. It was deliberate in circumstances where several other dates were available to play the match before the deadline. Both coaches we find were equally to blame for the misconduct. There is no evidence that the players of either team were involved. We take into account the previous recent unblemished disciplinary record of both the coaches and the Universities involved.
18. The BUCS Regulations are silent about the penalties available for a breach of Regulation 17(1). In the circumstances of this case, the Disciplinary Panel have concluded that an appropriate penalty is:
  - 18.1 A fine of £1,000 against each University.

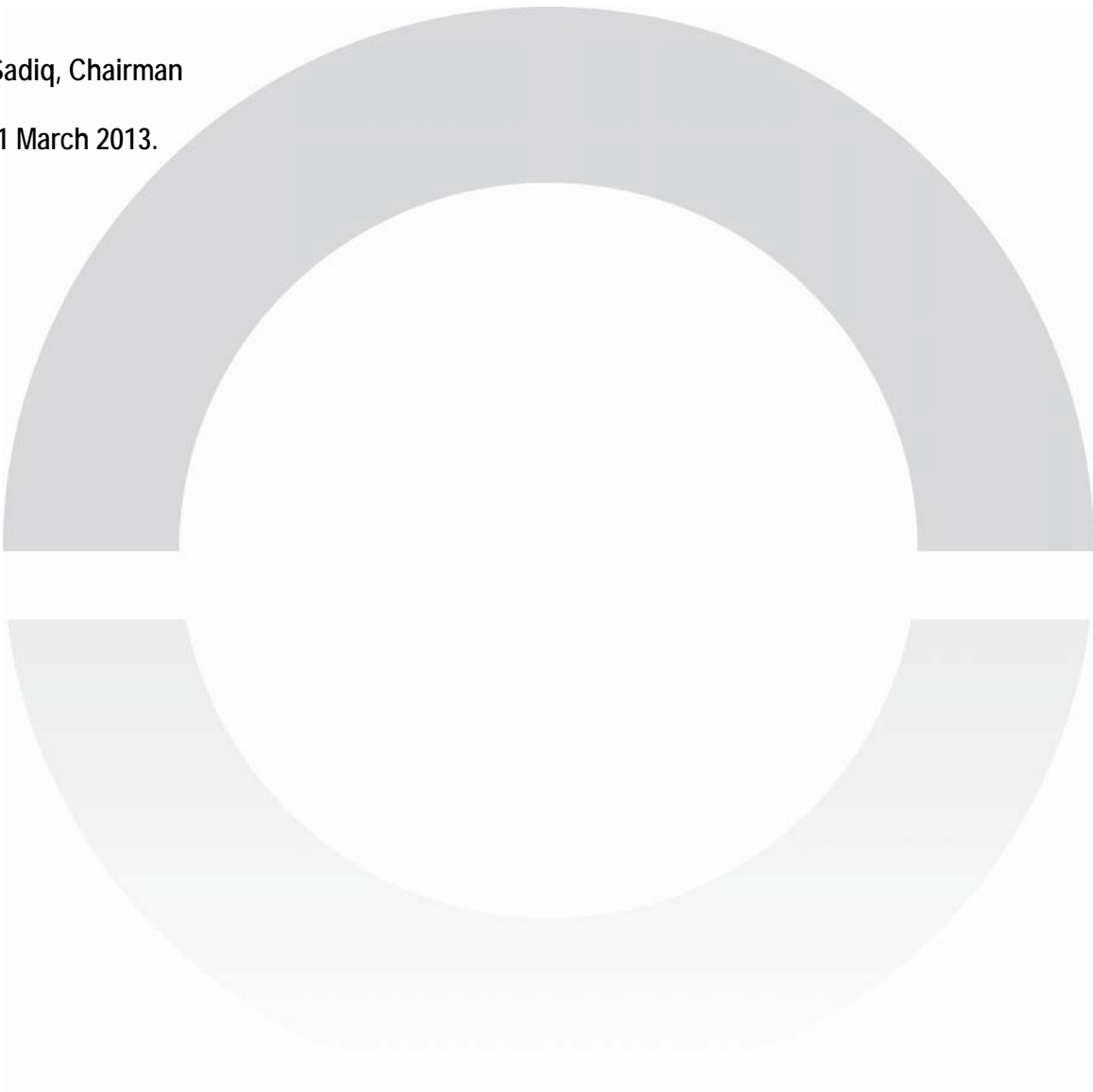
18.2 Both Universities Rugby first team points will be removed from the overall BUCS points table. However, both Universities may continue to play in the Vase competition.

18.3 The coaches involved, Coach A for University A and Coach B for University B are removed as coaches for BUCS games for a period of nine months, which penalty is suspended for two years.

19. Both University representatives submitted that going forward the process of inputting scores after matches would involve the signing of team sheets which the Disciplinary Panel would commend.

**Tariq Sadiq, Chairman**

**Dated 1 March 2013.**





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