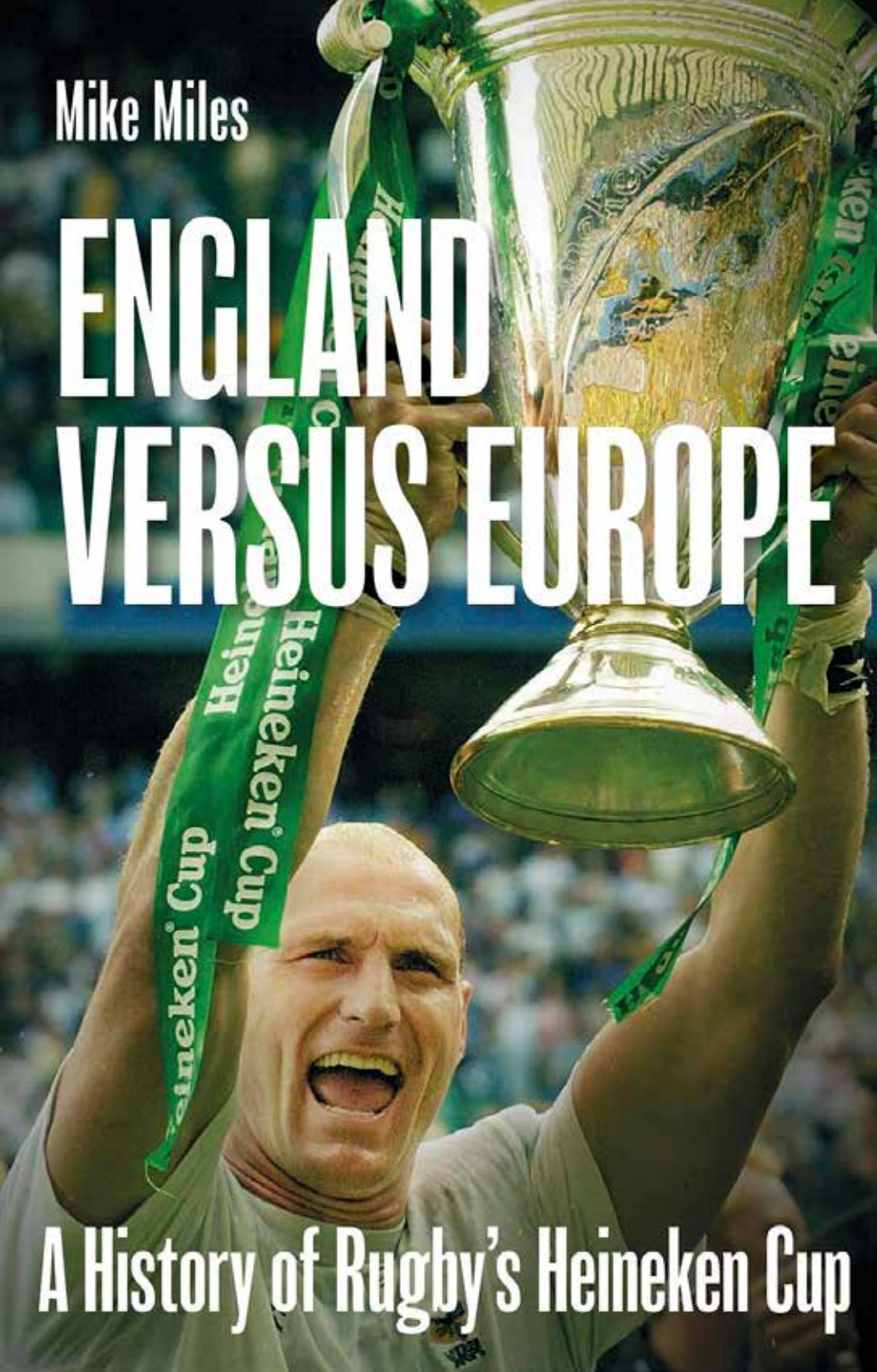
Mike Miles

# ENGLAND VERSUS EUROPE




## A History of Rugby's Heineken Cup

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Chapter 1

# Rugby Union Turns Professional

**Why did rugby union turn professional in 1995?**

There is a plaque at Rugby School which states: 'This stone commemorates the exploit of William Webb Ellis who with a fine disregard for the rules of football as played in his time first took the ball in his arms and ran with it thus originating the distinctive feature of the rugby game. A.D. 1823.'

National sides now play every four years at the World Cup for the Webb Ellis Cup.

Be the Webb Ellis story legend or fact (and most sports historians tend towards the former), by 1845 the first set of written rules had been created, and in 1863 the Blackheath club decided to leave the embryonic Football Association over the question of hacking.

The Rugby Football Union was formed in 1871, and then in 1895 came the great schism over the payment of players. So, the separate code of (professional) rugby league was born. Rugby union, as it became known, was a strictly amateur code, with the sport's administrators frequently imposing bans and restrictions on players who they viewed as professional, even if their transgression was playing a single game of rugby league.

Rugby union, then, had, officially at least, been an amateur sport for over a century when it went 'open', i.e. professional, in August 1995. Association football and rugby league had been professional sports since the 19th century. Cricket

abolished its amateur/professional divide in 1962, while even the conservative Lawn Tennis Association abandoned amateurism in 1967.

However, during the 1980s money had begun to flood into rugby union. Initially the majority of this money was concentrated at the national level, with the RFU attempting to capitalise on the growing sponsorship market in what they claimed were the interests of Twickenham and, hence, the game as a whole.

In amateur rugby union the intrusion of business into the world of sport was widely seen as anathema. When in 1982, Adidas rewarded international players with cash and gifts for wearing their boots, this was perceived as a scandal. However, the power of top-level players was growing and the pressures towards the marketisation of the sport were increasing. As the RFU realised they would have to reach some sort of accommodation, they determined to bring such practices under RFU control. They appointed their first marketing manager in 1985, as the question by then was no longer whether the commercialisation of rugby union was desirable, but who should benefit. The RFU was clear that it should be them and only indirectly the top players. Their justification was that they were benefitting the game at all levels.

In 1986 the International Rugby Board marked their centenary with a congress held at Heythrop Hall in Oxfordshire. The lead item on the agenda? Not the promulgating of the game, not its technical advancement, but its continuing amateur status. The pressure of the encroaching commercial world outside was already at fever pitch and the first World Cup was only a year away.

Ulsterman Harry McKibbin gave the keynote address on amateurism. He admitted that 'something must be done' if rugby was to travel the road between 'coexistence and economic reality'. Then he dropped his bombshell. One of the regulations of the game banned players from receiving money from 'certain types of sporting activity, generally referred to

as *Superstars* competitions'. McKibbin put forward that this sub-section could be erased, though most of the other amateur regulations should be enforced with their usual severity.

But one of the supreme ironies is that at the exact moment when McKibbin was starting the revolution, a group of All Blacks, led by Andy Haden, who was in England playing in the IRB centenary celebration matches, were just finalising their plans to make a rebel tour of South Africa, a tour which brought huge financial rewards to the participating players.

Below the surface of the game, tensions were stirring, as they had been for some considerable time. When feelings erupted into open space, as they shortly would, the previously unchallenged control imposed by the RFU since its formation in 1871 would evaporate virtually overnight.

The cause of the unrest was the RFU's stringent policy regarding amateurism. Since the mid to late 80s, voices had been increasingly raised from sections of the game asking for at least some flexibility on this matter. Admittedly the governing body didn't actually shoot the messenger. They just ignored him. But the simple fact was that considerable sums of money were now pouring into a rugby success story, and, as a result, most parties seemed to be benefitting financially, with one notable exception – the players.

The RFU's inflexible attitude to amateurism had led to a ban on Dave Alred for playing professional grid iron football in the US.

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Rugby writer Peter Williams has claimed that 1987 was the pivotal year in the move to professionalism. In that year, New Zealand and Australia staged rugby's inaugural World Cup, won by the All Blacks with standards of play and levels of physical preparation generally considered far superior to those in the Northern Hemisphere. Following the inevitable inquest into England's poor showing in the tournament, the RFU appointed Geoff Cooke as its new

team manager. Cooke was regarded as an innovator and, moreover, as a coach who understood what was necessary if England were to compete with the best in the world. He began the process of professionalising every aspect of the team's preparation.

In the English domestic game, 1987 also witnessed the introduction of a national league structure. Prior to this, clubs mainly played 'friendlies'. Hence, results were largely irrelevant and the perceived quality of teams on a club's fixture list was more important to its status than its end-of-season win-loss tally. League rugby swept aside such traditions, allowing meritocracy to usher in a new, competitive reality.

The *Rugby World and Post* (September 1987) quoted David Cooke, the former Harlequins captain and England flanker, as having said: 'If it [the league] is properly organised and advertised it will hasten the arrival of professional rugby.' He was right.

The years between 1987 and 1995 saw the RFU drift to a position of increased isolation from its elite clubs and players. It opposed all attempts by the more progressive elements within the IRB to relax the regulations preventing international players from making money from the game, despite the reality that they had been doing so outside the British Isles for years. In its own backyard, it continually sought to frustrate attempts by England players to exploit what little flexibility had been officially sanctioned. At club level, in the face of a barely concealed escalation of 'shamateurism', it continued to implore clubs to operate within very tightly defined spending curbs.

Money was rolling into Twickenham, but not into the club game. By 1993, the estimated financial return from the annual Five Nations Championship was £1.8 million, less than half of which was now generated from ticket sales. The rest came mainly from television fees (£550,000), perimeter advertising (£200,000) and merchandising and programme

sales (£90,000). However, even for the elite clubs, attendances rarely reached five figures. International fixtures and the finals of cup competitions were by far the most popular. Thus, relative to the elite clubs, the RFU was in the enviable position of being able to generate substantial amounts of money with comparative ease. It also enabled the RFU to turn Twickenham into a modern all-seater stadium.

At an emergency meeting of the Courage League First Division clubs on 20 April 1995, Bath chairman Richard Mawditt spoke for many when stating: 'We, as first division clubs, are fed up with being dictated to, even ignored. We want to have a clear place in the structure and a better form of communication within the RFU.'

But the RFU would not compromise. And comments by England captain Will Carling broadcast in a television documentary (*The State of the Union*) brought out the worst in that body. Few outside Twickenham might have disagreed with his comment that 'everybody seems to do very well out of rugby except the players'. But it was his reference to the senior members of the RFU as '57 old farts' that brought down the wrath of Twickenham. They fired Carling from the England captaincy.

The man behind this drastic action was RFU president Dennis Easby. The announcement coincided with the domestic (Pilkington) cup final between Bath and Wasps at Twickenham, where the guest of honour was that same Dennis Easby. He was greeted by booing from the packed stands. The *Bath Chronicle* reported it as one of those moments when one didn't know whether to laugh or cry. 'The trouble with the "blazers" is that they think English rugby belongs to them.' At Twickenham on 6 May 1995, they started to learn a painful lesson.

Carling was reinstated as England captain, not least because all the other contenders to replace him had announced that they would refuse to accept the captaincy in such circumstances.

In his review of the 1994/95 season in the *Rothmans Rugby Union Yearbook*, Mick Cleary wrote: 'Regrettably, the season may well be remembered for what was said rather than what was done. The Carling affair was the biggest rugby, if not sports, story of the year. "What was all that about?" the general public asked. The small group on the RFU committee should have resigned immediately. A point of principle is either worth making, or it isn't. Whether or not they were right to object to Carling's remark is not the issue. They considered it a point of honour, and so they should have stepped down when they saw the general reaction against them.'

By 1995 it was evident that rugby's amateur ideology had run its course, but as the time approached for the IRB to display its moment of uncharacteristic boldness, the RFU was the principal dissenting voice. Vernon Pugh chaired an IRB working party on amateurism, which reported in April that year: 'All recognised that the branches of the current mechanism are so wholesale and often representative of a considered assessment of that which is believed to be right for the game that they are essentially incapable of consistent and effective disciplinary action. All agreed that the pressures within the game were such that, like it or not, the game would inevitably become fully professional, if it were not better regulated.'

Louis Luyt, president of the South African Rugby Board (SARB), had put it more bluntly in 1994: 'Contrary to popular belief, our players are not paid cash for playing as such, but are given cars and numerous perks which, as far as I'm concerned, is professionalism, so who are we fooling here?' And France's former coach and captain Jacques Fouroux said: 'Professionalism is here already. Maybe not in Zimbabwe or Namibia, Spain or Morocco, but everywhere else.'

Hearsay and rumour proliferated. There was no question, Pugh had reported in 1995, that 'the demands made of the players, the expectations of them and the fact of financial reward sit very uneasily with the traditional understanding of the amateur principles'.

England lock Paul Ackford calculated that he needed 74 days off police duties every year to fulfil rugby demands, while fellow policeman Wade Dooley said he lost overtime payments every time he played for England.

Pugh's report warned that the 'truth may be unpalatable'. He spoke later of a 'central hypocrisy … There's no way back, no way of living within the current regulations, because they are being totally flouted by unions who won't enforce the rules.'

One option was the status quo, with some amendments to regulations, but the report argued that this would simply 'postpone decisions that will have to be addressed honestly and openly at some stage'. The second option – advocated vigorously by Australia and New Zealand – was 'lifting the veil' and accepting professionalism.

The report concluded with 'another view', maintaining 'no pay for play', but accompanied by broken-time payments (compensation for lost earnings), other indirect benefits and a season limited to seven months, with a restricted tour programme. Whatever the decision, Pugh warned, 'The one thing not on our side is time.'

The RFU seemed to want to carry on believing the issue of professionalism would simply go away just so long as they avoided confronting it. At an executive meeting on 7 April 1995, the RFU secretary, Dudley Wood, said he thought 'there were serious implications for rugby union arising from the recent announcement of the establishment of a rugby league super league'. In his view 'there was no room globally for two professional codes of rugby and rugby union would be well advised not to attempt to compete'.

At another committee meeting three weeks later, it was reported that the International Board would be meeting in France towards the end of August to attempt to resolve the major issue of amateurism. It was minuted that: 'Several other countries had already made known their views whilst the RFU had not done so yet.'

At a further committee meeting on 14 July, it was minuted that: 'Whatever the pressures, under no circumstances should the game be permitted to go open.' The RFU felt the Northern Hemisphere, and in particular the game in England, was 'free from the pressures faced by the Southern Hemisphere and need not succumb to the solutions for the latter'.

Then at the RFU's amateurism sub-committee get-together on 17 August 1995: 'It appeared that the required 75 per cent majority required to change the IRB regulations to permit "pay for play" could not be achieved.'

Barely a week later, the game went 'open' at that infamous IRB Special Meeting in Paris, and the gentlemen from the RFU realised that even if they didn't want to take their heads out of the sand, the tide of amateurism was going out and washing that sand away.

The change came because the 'pressures faced by the Southern Hemisphere' were very real and would not go away. The week before the World Cup Final of 1995, in June, had been dominated by debates about how the Springboks could stop New Zealand's Jonah Lomu. But then the leaders of the South African, New Zealand and Australian rugby unions called a joint press conference where they announced a ten-year deal with media magnate Rupert Murdoch worth $550 million. The leaders of the three unions, who had formed a joint body known as SANZAR, denied with straight faces that it meant the end of amateurism.

The creation of SANZAR and its associated competitions was a response to two threats. The television contract with Murdoch neutralised one, preventing Murdoch's own rugby league Super League, launched in March 1995, from going aggressively after top union players.

The other, the World Rugby Corporation (WRC), fronted by former Wallabies prop and IRB member Ross Turnbull, proved harder to beat. The WRC aimed to create 30 franchises worldwide, each with a squad of 30 players, and an annual programme of 352 matches. By early August, they had 407

signatures, including the majority of the World Cup squads of all the leading nations on provisional contracts.

The WRC had high hopes of persuading Kerry Packer into another battle with Murdoch. (Packer is reported, in *Game for Hooligans*, to have called rugby 'a stupid game played by a bunch of fucking poofters'.) Packer and his Australian television network Channel Nine had disrupted the sport of cricket with the World Series between 1977 and 1979. It ran in competition to established international cricket and the main factors which caused its formation were the view that the players were not paid sufficiently to make a living or to reflect their market value, and, following the development of colour television, the idea that the commercial potential of cricket was not being achieved. So, Packer set up his own series by secretly signing agreements with leading players from all over the world.

However, with battles already under way for rugby league and racing, Packer had no stomach for a third front and, as he made just a small initial commitment, the threat from the WRC was effectively finished by mid-August 1995.

The IRB met again in Paris on 26–27 August 1995. The outcome of the meeting was not assured, even if the three southern unions could hardly have remained within an amateur game after their Murdoch deal.

After hours of heated debate, the IRB amateur committee chairman Vernon Pugh called for a vote on 'open' rugby. The IRB eventually got the unanimous vote they wanted, with Pugh arguing, 'Whether or not we promote it, the game will be openly professional within a very short space of time. If we do not participate in, and direct and control, that change, the IRB and the unions as we know them may no longer be running the game.'

* * *

The year 1995 also marked the 150th anniversary of rugby union's rules first being committed to print, and a century

since the Huddersfield meeting that had created rugby league. At a show of hands and the stroke of a pen, a proud tradition of amateurism was extinguished. In the book *From There to Here*, Brendan Fanning recounts the reaction of an English colleague outside the Ambassador Hotel: 'He had his hands resting on the wall and was rocking back and forth – not exactly nutting the wall but making contact with it just the same. He was absolutely devastated.'

The increased wealth available to sports organisations was due in large part to the impact of television. And it was television – exemplified by the large audiences generated by the 1987 and 1991 World Cups – that tolled the final amateur bell. Rugby union had now become a multi-million-pound business. Thus, the key issue moving forward was who would control the sport: the national bodies, the clubs – or television.

## What were the consequences of professionalism?

In the film *All the President's Men* the reporter Bob Woodward, played by Robert Redford, asks 'Deep Throat' what to do to discover who was behind the Watergate burglary. He is told to 'follow the money, just follow the money'. Such was the route for professional rugby union, post-August 1995.

Rob Andrew was England's fly-half when the sport turned professional. He subsequently became a coach and administrator, including a long spell inside the RFU. So, writing in 2017 he was well qualified to offer an insider's opinion on the events post-August 1995:

'On 27 August 1995, the IRB declared rugby union an "open" sport. By which they meant professional; not that they could bring themselves to let the word pass their lips. What was more it was open with immediate effect: no planning, no preparation, no long-term strategy. There wasn't even a short-term strategy. The unions had saved their own necks by finding a way to reassert a semblance of control, but only because they found themselves in panic mode and agreed to the very thing we players had been trying to move towards for years.'

In 2010, John Harris, author of *Rugby Union and Globalisation*, observed: 'In 1995 rugby made the final leap from the shrinking world of amateurism into full-blown professionalism and, as leaps go, it was every bit as astounding as the one made by Evel Knievel when launching his motorbike over 17 double-decker buses. Knievel ended up being extricated from a heap of twisted metal and loaded into the back of an ambulance, which is very nearly what happened to rugby as well.'

However, hindsight is a wonderful thing. The immediate reaction to the announcement that rugby union would be 'open' was that, in the short term at least, little would change.

*The Guardian* editorialised in August 1995: 'Big policemen and massive army officers are still likely to be found in the pack.'

The contemporary consensus among rugby correspondents was that around 60 English players – comprising the England squad, A team and Emerging Players' side – were expected to be put under contract and paid by a sponsor with a top-up from the Rugby Football Union each season, thus reducing the threat of defections to rugby league. The impact on clubs not in the elite was likely to be small. Despite growing television competition for international rugby, and recent involvement at top club level by BSkyB, most clubs were not in a position to pay players.

Vernon Pugh, who had masterminded the vote in Paris, said, 'Even two weeks ago I would not have anticipated the decision we took. It puts the International Board back firmly in control of the world game. There is real concern over whether the game will change its fundamental character and lose its special ethos. We are also very concerned that the best players will simply gravitate to the clubs that pay the best money. But we think many clubs will decide to make part-time payments to part-time players.'

All sides believed that professionalism would have a very limited impact beyond a few clubs in England such as Leicester

and Bath. Welsh clubs, who had been paying petty cash to players for years, would carry on doing so. In Scotland, where the clubs could not really ever afford to pay players anyway, the impact would be even smaller. It would take three or four years before the shock waves of unbridled professionalism were properly absorbed by British rugby.

But it would be impossible to ignore the ramifications that commenced from September 1995. For this was a step into the kingdom of the unknown, where hard-earned freedoms brought with them far from easy responsibilities. True, professionalism had been accepted in principle, but its application was a different matter altogether. Apart from the fact that players could now be contracted for international matches, there was no recognised blueprint for the wider professional club game.

Two recently formed groups, namely the EFDR (English First Division Rugby) and EPRUC Ltd (English Professional Rugby Union Clubs), were fast losing patience with the new chairman of the RFU executive, Cliff Brittle, who they argued was stalling efforts to establish a professional format. He had been elected amidst a grass-roots revolt against professionalism, when the clubs chose him over the RFU's preferred candidate, John Jeavons-Fellows, an IRB delegate.

For the next two years the RFU's key committee was split between its chair and most members. There were even suggestions of a breakaway by a group of senior clubs if their own plans were to be shelved by the RFU. Furthermore, the counties, who formed a powerful voting group, did not necessarily see eye-to-eye with the senior clubs.

In an essay published in 2008, academic Adam Smith said the root of all the decades of tension between the top clubs and Twickenham can be traced back to 'the 1995/96 season when the clubs acted quickly to prevent England adopting New Zealand's system of central contracts for international players. When the IRB made its historic announcement in August

1995, Headquarters hesitated, with fatal consequences: by declaring a moratorium and setting up a working party on the future impact of professionalism, the RFU created a vacuum, allowing rich arriviste owners such as Saracens' Nigel Wray and Newcastle's Sir John Hall to buy up the best players.'

In the autumn of 1995 had come the shock announcement that the Wasps and England player Rob Andrew was going to be rugby director for Newcastle Gosforth. The reported 'signing-on fee' was £750,000. Compare this to the £40,000 annual fee offered to elite players in the England squad. Cheque-book rugby had made its appearance in rugby union. Local businessman Sir John Hall provided the financial largess in Newcastle. He was even quoted as claiming, 'I am not investing in a professional sport to have it run by amateurs,' and he was not joking.

Hall had purchased Newcastle United in 1992 with the stated aim of turning it into a 'sporting club' along similar lines to FC Barcelona. He bought the rugby union side, Newcastle Gosforth, in 1995.

Other clubs took the view that there was no alternative but to swim with the tide and bite the bullet of professionalism, even if they didn't like the taste. Bath, for example, had 17 internationals on their books and risked being left stranded and defenceless by the cheque-book raiders rumoured to be hovering over the Recreation Ground. At a special meeting on 11 March 1996, members had to choose between romanticism and realism, and realism won. The outcome was the dissolving of the current club and the formation of a limited company, Bath Football Club Ltd.

The powers that be of English rugby had not wanted professionalism and were uneasy with its consequences. Hopes of an orderly transition were dashed once Hall bought Newcastle Gosforth, installed Andrew as director of rugby, and started offering six-figure salaries. Panic ensued. In early 1996, the market was described in *The Guardian* as 'febrile and full of fear. Most players are still up for grabs, prices have

not stabilised, and everyone is desperately looking for new sources of income.'

The RFU did not contract leading players. It would have been very expensive, and it was already carrying a £35 million bank loan for Twickenham's transformation from creaky relic into vast, modern stadium.

The summer months of 1996 would see English rugby preparing to sail into deep, uncharted waters. The idea of professionalism had seemed so simple in theory. In practice, it was to prove anything but. The situation was summarised by Mick Cleary and Norman Harris in the *Rothmans Rugby Union Yearbook*: 'When the green light was given 18 months ago, clubs were forced to go from quaint, parochial amateur outfits to lean, vigorous and slick businesses in a matter of a few weeks.'

Professionalism exposed the game to other important developments in sport, among them the Bosman ruling. In 1990, footballer Jean-Marc Bosman was at the end of his contract with the Belgian club AFC Liege. He wanted to move to Dunkerke in France, but the clubs could not agree a fee. Bosman took his case to the European Court of Justice and, in December 1995, he won the right for footballers (and other sportspersons) in the European Union to move freely between clubs at the end of their contracts. While the decision primarily affected football, it also introduced the emerging sport of professional rugby union to this new world order.

Millionaires such as Wray at Saracens and Hall at Newcastle saw professionalism as an opportunity for rugby union to model itself on soccer's Premier League which had started in 1992. Yet those club owners who imagined they could simply replicate the culture of professional soccer had drastically misunderstood rugby union, which emotionally, if not financially, believed in a national pyramid for the sport, at the apex of which stood the England side. Hall would have found few dissenters among his soccer club's Toon Army if he had banned Newcastle United players from the England

football side but won the Premier League title. But it would be unthinkable for supporters of Newcastle Falcons for their players to eschew England caps for the sake of their club's fortunes.

In soccer, the club-versus-country debate nearly always resulted in victory for the club. But in rugby union, club would always eventually come second to country, no matter what the financial or legal resources available to club owners.

Meanwhile, the commercial pressures that professionalism inevitably brought were building. Broadcasters, entrepreneurs seeking an opportunity, and sponsors seeking to secure an early foothold in an emerging 'new look' game were driving their individual agendas with consequent impact, not all of it positive. One new organisation to emerge early in the professional era was Dublin-based European Rugby Cup Limited. Taking its lead from football's Champions League, ERC saw an opportunity for a pan-European tournament that involved the continent's leading clubs. The eventual outcome was the Heineken Cup.