RFU DISCIPLINARY HEARING

COVENTRY M6, JUNCTION 2 HOLIDAY INN

JUDGMENT

Player: Mark ROBINSON Club: NORTHAMPTON SAINTS RFC

Match: NORTHAMPTON v MOSELEY

Venue: Northampton Date: 15th September 2007

Panel: Richard MOON (Chairman), John LOUGHTON and

Andrew LOCKHART

In attendance as Secretary: Bruce REECE-RUSSEL

In attendance: Paul Tulley – representing Northampton Saints RFC

James Sinclair - Northampton Saints RFC

Mark Robinson – player

Tony Thomas – representing Moseley RFC

To consider: The citing of Mark Robinson, Northampton Saints RFC for striking Richard Stott, Moseley RFC contrary to Law 10(4)(a) in the match Northampton v Moseley on the 15th September 2007.

PRELIMINARY POINTS

1. The Chairman conscious that the Panel were to hear a reciprocal citing of Paul Arnold, Moseley RFC in the same passage of play asked both parties if they were content to have the evidence heard as a joint hearing.

Both Paul Tulley, representing Northampton Saints RFC and Tony Thomas representing Moseley RFC agreed that this was a practical way to proceed.

2. Paul Tulley informed the Panel and Moseley RFC that two other citings (Charge 1 and 2 on the charge sheet) had now been withdrawn. The Chairman accepted this and directed that they be expunged.

CHARGES AND PLEA

1. The player Mark Robinson pleaded guilty to the charge.

THE FACTS

2. The citing report of Moseley RFC reads:

"What we will say is that in the 52nd minute (and therefore about 12 minutes into the second half) Northampton scored a try from a rolling maul. There was some "handbags at dawn" between Moseley No 18 Neil Bayliss and Northampton No 1 Simon Emms. That confrontation then continued and there was a further altercation near the dead ball line. Northampton No 20 must have seen what was happening and headed off in that direction. He was grabbed from behind by his own No 14 and presumably thinking that this was a Moseley player he then swung his right arm and connected with the face of Richard Stott who fell to the ground like the proverbial sack of potatoes and received treatment not only from our physio but also from our doctor"

The DVD was shown both at full and slow speed. TT took the Panel through the incident which occurs after the scoring of a try by Northampton RFC. MR can be seen congratulating his players after the Northampton score. His attention is drawn to the incident involving Simon Emms and Neil Bayliss. He can be seen to move towards them but is held back by the actions of his own player, Northampton No 14. MR attempting to free himself swings out and strikes the player in close proximity behind him which is Richard Stott who can be seen to fall to ground and remains motionless for some considerable time.

PT representing MR totally accepted the culpability of his player. However he asked the Panel to note the events leading up to the incident and that MR had not intentionally set out to strike a Moseley player, he was reacting recklessly to what was occurring to him at a specific time. The player has fully accepted his part in this unedifying incident and offered his apologies to the opposing player (RS) who he contacted by phone the following Saturday.

MR in his own oral evidence said he was moving to assist his own player who he thought was threatened by a plethora of Moseley players around him. He saw the punch to SE and wished to help.

PT stated that Northampton had held an internal disciplinary hearing and suspended MR for a period of 2 weeks. He further addressed the Panel on an appropriate entry point which he suggested was MR.

FINDING

- 3. The panel having retired considered all the evidence and in particular studied the match DVD in great detail. They noted that:
 - The act was deliberate.
 - The player moved towards an incident which did not and should not have involved him.
 - It involved a closed fist or punch.
 - Opponent was not expecting any form of violence and was therefore vulnerable.

- Injured player unconscious for 3+ minutes and subsequently diagnosed with concussion. Out of rugby for 3/52.
- The blow was to the head area.

However they were conscious that this was a case where the result of MR's actions were directly out of proportion to what he intended, that is free himself from being held back.

Taking these factors into account the Panel found this to be a MR offence.

SANCTION

The Panel having heard all mitigation from TT started from an entry point of 5 weeks and found there to be an aggravating feature whereby MR has received 2 suspensions in the past 4 years. For this the Panel added a further 3 weeks to the entry point. Taking into account his conduct at the hearing which was exemplary, his genuine remorse and character references provided by Jim Mallinder, Director of Rugby and Sian Haynes, Head of Community the Panel mitigated a period of 2 weeks.

The player is therefore suspended for 6 weeks. The suspension is from the 18th September to the 28th October 2007 allowing him to play again on the 29th October 2007. This suspension includes that imposed by the Club.

COSTS

17. Costs of £200.00 are awarded against the Mark Robinson/Northampton Saints RFC.

RIGHT OF APPEAL

18. There is a right of appeal which must be lodged within 14 days of receipt of this judgment.

Bruce R2

Bruce Reece-Russel Secretary

2nd October 2007