

RUGBY FOOTBALL UNION
DISCIPLINARY HEARING

At: Holiday Inn, Brighthouse
On: Monday, 14th January 2008
Player: Matthew Goode **Club:** Rugby Lions RFC
Match: Rugby Lions v West Park St. Helens
Venue: Rugby Lions
Date of Match: 5th January 2008

Panel: Antony Davies (Chairman), Clif Barker and John Loughton
Secretary: Liam McTiernan

Preliminaries

1. The Player and his Club had asked for the matter to be dealt with in their absence on the basis of written submissions, the Referee's report and a DVD of the incident.

To consider

2. The Player's appeal against the yellow card given to him on Saturday, 5th January 2008 in the match Rugby Lions v West Park St. Helens for an offence of late charging the kicker, contrary to Law 10(4)(m).

The Facts

3. The Referee's report states thus :-

“The ball was kicked by the West Park number 10 from his own in-goal and downfield towards the Rugby half. I followed the ball and did not see the incident. The Touch Judge report is as follows:-

“West Park had set up ruck ball approximately 10 metres from their own

line. The scrum half passed the ball back to his number 10 who cleared to touch. Following this, the Lions number 13, whilst attempting to charge the kick down, followed through and caught the West Park number 10 with a late tackle. I was approximately 60 metres from the incident, with a clear, unobstructed view. I informed the Referee of the foul play, who stopped the game and invited me onto the pitch to discuss the incident with him. I recommended that the Lions number 13 should receive a yellow card for the late tackle.

The West Park player was not injured and was able to carry on and finish the game”.

The Player’s Case

4. On behalf of the Player, it was submitted in writing that no tackle had been made at all, let alone a late tackle. It was accepted that there had been contact between the legs of the Player and the West Park number 10, but any such contact was accidental. Accordingly, there had been no act of foul play as alleged. The Referee and the Touch Judge closest to the incident had allowed play to continue but some seconds later the Touch Judge on the far side, some 60 metres away, brought the matter to the Referee’s attention. It was submitted that the Touch Judge may have made an understandable misinterpretation of the incident due to him being some 60 metres away.

5. The Panel were invited to view a DVD of the incident.

Factual Findings

6. The Panel viewed the DVD, which appeared consistent with the description in the Referee’s report. It showed the West Park 10 in his in-goal area taking the ball from his scrum half and clearing to touch. It also showed the Player wearing 13 in an on-side position at the side and slightly behind the back feet of his team’s formed ruck. Immediately the scrum half passed the ball to his number 10, the Player set off to run directly to the 10, who seemed intent upon kicking the ball to touch. The actions of the Player were clearly designed to attempt to charge down the kick to touch.

7. The Panel considered carefully the actions of the Player and noted that as the West Park 10 caught the ball, he set himself to kick off his left foot. The Player, who was running directly towards the West Park 10, altered the line of his run to go towards the left-hand side of the West Park 10, i.e. the side from which the ball was to be kicked. He was seen to take off from the ground so that his entire body was in the air, with his arms outstretched in front of him in what the Panel regarded as a clear attempt to charge down the ball. At all relevant times, the Player kept his eye on the ball, not the body of the West Park 10. The Panel were satisfied that the Player was in fact diving away from the body of the West Park 10 and that his intention inferred from his actions was solely to charge down the kick and not to late charge the kicker.

8. The Player hit the ground face and front down and his momentum carried him forward a short distance. In kicking the ball to touch, the West Park 10 was also in the air and as he came to ground he did so onto the legs of the Player, which caused him to lose his balance and to fall over. At the point of contact the Player was looking away from the West Park 10 and could not have seen or influenced the way in which contact was made. The Panel were satisfied beyond peradventure that the contact was accidental and an unintended consequence of a genuine attempt to charge down a kick. Accordingly, the Panel could not be satisfied there was any incident of foul play, but were satisfied that the Match Official from a distance of 60 metres had misinterpreted the Player's actions.

Decision

9. The Panel agreed unanimously to rescind the yellow card awarded against the Player.

Antony Davies

Antony Davies,

Chairman

15th January 2008

