### RUGBY FOOTBALL UNION

# DISCIPLINARY HEARING – 15th October 2007

# HOLIDAY INN, BRISTOL FILTON

# **JUDGEMENT**

Player: TONY WICKS

Club: LYDNEY RFC

Match: Lydney 2 XV v Bridgwater & Albion 2 XV

**Venue:** Lydney

Date of match: 22<sup>nd</sup> September 2007

**Panel:** Christopher QUINLAN (Chairman)

John DOUBLEDAY and Mike CURLING

Secretary: Liam McTIERNAN

Lydney RFC: Tony WICKS – the player

Colin Henderson – DOR Lydney RFC

# **CHARGE AND PLEA**

The Player, Tony WICKS, Lydney RFC admitted that he had stamped on an opponent in the Lydney 2 v Bridgwater & Albion 2 match on the 22<sup>nd</sup> October 2007, contrary to Law 10(4)(b). He also indicated that he was content for the Panel to proceed with the case in is absence.

#### **FACTS**

The match referee, Phil Watters in his report described the incident as:

"After approximately 38 minutes of the fixture, which was keenly contested throughout, but played fairly, Bridgwater, having had the upper hand within the first half, were attacking the Lydney try line. The ball was taken into contact by Bridgwater No.7 and a ruck ensued. This occurred approximately 1 metre from the try line and approximately 10 meters from the right hand touchline. The ball was placed cleanly on the floor and all players that initially formed this phase of play adhered to my communication. At this point the Lydney No.10 (WICKS) positioned himself, on the 'blind-side' from Lydney's perspective, defending the narrow channel. I had a clear and unobstructed view of him at all times from a distance of no more than about 3 metres. I then witnessed him raise his right foot, and at a 45 degree angle he thrust out his leg and deliberately stamped upon the head of the Bridgwater No.7 who was lying beneath the ruck with his arms close to his body in a totally defensively manner. He immediately shouted out in pain and, with no hesitation whatsoever, the Lydney No 10 (WICKS) kicked out a second time, again stamping on the head of the Bridgwater No.7. Both stamps happened in the space of about 1-2 seconds and were without doubt deliberate acts of violence toward the defenceless player on the ground. Wicks was more than 2 metres from the ball, and on both occasions he specifically looked down toward the players head before delivering both blows. In my opinion, this was a mindless violent act which only intention was to injure the player on the ground. The injury sustained was minor, but I believe that this was extremely fortunate. I immediately stopped play due to my concern for the safety of the assaulted player, called the Lydney captain over along

with the offending player and explained what I had witnessed before producing a red card and sending the player from the field of play".

The player, whilst admitting the offence, said that he was gouged by the opposition No.7 at a previous ruck, and his act was to "let the No.7 know he was there". Under cross examination by the Chairman he admitted that it was a "get him back" act for the initial gouging. TW admitted that he stamped twice but in his opinion they were to his opponent's back and not the head as indicated by the referee. It is of note that there had been no request for the match official to attend and so Lydney RFC was unable to challenge the essence of the report.

### **FINDING**

The Panel having assessed the gravity of the offence under 8.2.5 of the RFU Disciplinary Regulations made the following assessment:

- The act was deliberate
- There were 2 contacts which were completed.
- Contact was to the head.
- Caused a modest injury but the opponent was able to play on.
- No evidence of player reaction or any affect on the game.
- No other aggravating features.

The Panel assessed the entry point as Top Entry (TE) with an entry point of 20 weeks. They then took into account:

- His guilty plea and remorse.
- His apology to the injured player after the game.
- Clean record but the Panel acknowledged the fact that he was only 19.
- Good behaviour before the Panel.
- The 6 week Club suspension imposed on the 24<sup>th</sup> September 2007.

In regard to these mitigating features the Panel discounted 8 weeks.

# **SANCTION**

The player is suspended from playing for a period of 12 weeks. The suspension will run from the 24<sup>th</sup> September 2007 to the16th December 2007 allowing him to play again on the 17<sup>th</sup> December 2007.

### COSTS

Costs of £150.00 were awarded against the Player/Club.

### **RIGHT OF APPEAL**

There is a right of appeal against the decision and this should be lodged with the RFU Disciplinary Department within fourteen days of receipt of this written Judgement.

Signed ...pp Christopher Quinlan (Chairman)

Dated: 17<sup>th</sup> October 2007

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