

**RUGBY FOOTBALL UNION**

**DISCIPLINARY HEARING**

**Judgment**

**At:** Three Tuns Hotel, Durham

**On:** Tuesday, 6<sup>th</sup> May 2008

**Player:** **ANDREW DAVIES**      **Club:** West Hartlepool RFC

**Match:** Durham City v West Hartlepool

**Date of Match:** 29<sup>th</sup> March 2008

**Venue:** Durham

**Panel:** Antony Davies (Chairman), Iain Goodall and  
Derek Morgan

**Secretary to the Panel** Bruce Reece-Russel, RFU Disciplinary Manager

**Attending:** Andrew Davies (“the Player”)  
John Stabler, representing the Player  
Jonathon Moreland, representing Durham City RFC

**Witnesses giving oral evidence :**

<b>Durham City RFC :</b>	<b>West Hartlepool RFC:</b>
Darren (Billy) McKinnon	Tim Sawyer
Mark McCreedy	Dave Stubbs
Joe Kelly	David Tighe
Martin Stevenson	Steve Havery

**In attendance as observers:** Tony Howe, Durham City RFC  
John Dove and Christopher McLoughlin, Durham Disciplinary C.B.  
Robin Wannop, RFU Council Member, Durham

**Preliminary Matters**

1. The Player and his representative had no objection to the composition of the Panel.
2. The Player raised no preliminary issue.
3. The procedure to be followed was explained to the Player, his representative and the citing Club.

### Charge and Plea

4. The Player was required to answer a citing report initiated by Durham City RFC pursuant to the procedure set out in Appendix 7 RFU Disciplinary Regulations 2007-2008 in relation to an incident in the match Durham City v West Hartlepool on 29<sup>th</sup> March 2008. The charge sheet which followed that citing report particularised the offence of one of making contact with the eye or eye area of an opponent during (approximately 20<sup>th</sup> minute of the first half) the match Durham City v West Hartlepool on 29<sup>th</sup> March 2008.
5. The Player formally denied the charge.
6. The Player was advised that the Panel would hear the evidence in support of the charge and that he would then have the opportunity of putting his side of the case.

### Evidence of the Citing Club

7. A written citing complaint alleged an act of foul play occurring approximately 20 minutes into the first half of the match. Durham City commenced a driving maul close to the 10 metre line in West Hartlepool's half. It progressed towards the 22 metre line. Durham City's player, Darren McKinnon was in the maul on the left-hand/blind side. He had become trapped by his own players and was standing almost upright, with his head and shoulders sticking out of the maul. It was alleged that at this stage he was deliberately and intentionally struck by the West Hartlepool second row, Andrew Davies, whose thumb entered Darren McKinnon's left eye. In essence, Andrew Davies was alleged to have made illegal contact with Darren McKinnon's left eye by gouging. Mr. McKinnon left the field for treatment for a laceration to his eyelid and later that day attended Sunderland Eye Infirmary where the front and back of his left eyelid were stitched back together
8. The Referee did not see the incident and no video evidence was available.
9. Oral evidence was given by **DARREN (BILLY) McKINNON**. Mr. McKinnon told the Panel that he had been playing rugby for some twenty years and had never been involved in a citing before. He has known Andrew Davies for seven years. There is no

history between them. He described the maul forming outside the opposition 22. He was in front of the ball carrier, effectively the point man in the maul. As he was looking up to orientate the maul, he became aware of a hand coming over towards his face. He could do nothing about it as his hands were trapped in the maul. The opponent's hand came towards him. He flinched as the fingers of the hand touched the left-hand side of his forehead and face. He felt a thumb go into his left eye with some pressure.

10. Mr. McKinnon demonstrated the action he had seen and felt. He explained how he was so sure it was the Player. He was facing towards the West Hartlepool tryline and was directly opposite the Player. They were chest on to each other. He knew and recognised the Player, and was in no doubt that it was the Player's right arm which had come over the maul and made contact with his eye and face.

11. His immediate reaction at the time was one of panic. He couldn't see out of his left eye. He was aware of blood going into the eye. He was not sure whether the game had stopped. He called the Physio over and asked the Referee if he could go off for treatment. The Referee signalled for a blood injury. There was no doctor to put any stitches into his eyelid and after the bleeding had been staunched, he was able to play again in the second half of the game.

12. Mr. McKinnon showed the Panel a photograph taken at approximately 8.30 p.m. the same evening. This showed stitching of the upper left eyelid and bloodshot areas to the eyelid and eyeball. There were also other abrasions to the left of and outside the eye socket, but it was not alleged that any other injury had been caused in the incident beyond the damage to the eyelid and eyeball itself.

13. Mr. McKinnon produced the original Accident & Emergency record from Sunderland Eye Infirmary confirming an arrival time of 17.25 on 29<sup>th</sup> March 2008. The nursing assessment referred to "full thickness left eyelid laceration – finger gouge – will need sutures".

14. The treatment record read :-

“Playing rugby today – hit in the face by opposing player – his thumb caught upper lid leading to left upper lid laceration.

Repair of left upper lid laceration.”

Details were then given of seven stitches inserted in the left upper lid, both front and back and thereafter topical and oral antibiotic administration.

15. Save for a small scar, Mr. McKinnon had made a full recovery and there was no lasting damage to his vision.

16. There had been nothing previously in the game to indicate that this sort of foul play would occur. There had been no reason for the Player to strike him as he did. It could not have been accidental, because there was no reason for the Player to put his hand or arm anywhere near where Mr. McKinnon was. He could think of no action directly, or indirectly, related to legitimate rugby playing which was consistent with the actions of the Player.

17. Mr. McKinnon wrote his own statement in his own words a couple of days later. He did not know who within the Club had taken the decision to instigate the citing, but he had supported it. To his mind, it was unacceptable and unnecessary foul play.

18. Under questioning from Mr. Stabler, he accepted that there had been no reaction from any other players to the alleged gouging. He also accepted that gouging was one of those offences which players could never justify and normally resulted in adverse player reaction. He explained that his lack of animated complaint was down to the fact that he was scared, having seen the blood and not being able to see through his left eye. He thought he had lost his eye.

19. Mr. McKinnon accepted that after treatment, and when the bleeding had stopped, he had gone back on to play because this was an extremely important game. The doctor who would normally have stitched the eye was not present that day. His vision had not been good when he played on and he accepted with hindsight that it may have been a mistake so to do.

20. He did not agree that the extremely wet under foot conditions could have contributed to the incident or the manner of contact, i.e. through the Player slipping whilst trying to bind onto the maul. It was a deliberate act, targeted at his head. He could only turn his head away in a flinching movement as the thumb went into his eye.

21. Finally, Mr. McKinnon felt that it was his Club's responsibility to take the citing forward on his behalf, but he was not reluctant to get involved because he wanted it on record as unacceptable behaviour on the field.

22. Evidence was then given by **MARK McCREEDY**. Mr. McCreedy is the Durham City Coach, with twenty five years' experience in rugby. He had not been involved in any previous citings. He described the game. West Hartlepool were on top, but the one area where Durham had an advantage was in the driven maul. He had been on or about the halfway line on the side of the field where the maul had formed and watched as it moved away from him towards the West Hartlepool 22. The body positions of his players were good and the maul went for some time. Mr. McKinnon was doing nothing illegal in the maul. He knew and recognised the Player, who initially was not attached to the maul. He was facing Mr. McKinnon chest on. Mr. McKinnon was standing upright in the maul, trying to free himself, but was unable to do so. His arms were tied into the maul.

23. Mr. McCreedy then said he saw clearly the Player strike out at Mr. McKinnon with his right hand. He thought it was a short rabbit punch. He did not expect the injury sustained. He had gone over to the Physio when Mr. McKinnon was being treated and had been horrified at the extent of the injury. He immediately drew the Referee's attention to it and made the allegation that it was caused by foul play. He realised the Referee was in a difficult position because he had not seen it happen, but he did want to register it with him immediately and make sure the Referee looked at the injury. At half time he had spoken to the Referee again and registered his concern about the incident and the injury.

24. He had realised that it had not been a good decision for Mr. McKinnon to play on after treatment, but he had organised for him to go straight to Hospital immediately after the game. He had been more concerned with arranging the medical treatment than with the citing procedures. He explained the action taken by the Club over the next few days. He

wanted to ascertain the full extent of the injury and also make sure Mr. McKinnon wished the citing to proceed, Mr. McKinnon being a former West Hartlepool player. He had taken a couple of days to get advice from the County Constituent Body Disciplinary Department as to the citing procedures. He had wanted the matter to be cited because of the extent of injury, but ultimately it had been a decision for the Club as a whole.

25. When questioned by Mr. Stabler, he confirmed that both Mr. McKinnon and the Player played the game hard. He had perceived it as a cheap shot, particularly as Mr. McKinnon's hands and arms were trapped in the maul. He was in no doubt that it was the Player's arm, because of his body position, and the angle his arm went towards Mr. McKinnon. He had seen the Player take cheap shots in other games. He was looking at the incident from the touchline on halfway. The incident was 10 metres outside the 22 and 5 metres in-field. He had a clear, unobstructed view. When asked specifically about contact, he clarified that he had seen the strike, but not which part of the hand had made contact with the head, because he was looking at the back of Mr. McKinnon's head and the strike had come towards him. In those circumstances, he conceded that he did not actually see the point of contact and that the hand may have missed making contact or fallen short. He confirmed he had thought it was a punch until he had seen the injury which could only to his mind have been consistent with a thumb or finger being inserted with force into the eye.

26. Evidence was then given by **JOSEPH KELLY**. Mr. Kelly is Durham City's scoreboard operator on match days. He has been a member for eighteen years and never been involved in any citing before this incident. He was involved now because what he had seen he did not think to be right. He described the maul. He was only 10 to 12 yards away, with an unrestricted view. He saw the respective positions of Mr. McKinnon and the Player and then saw the Player's arm come over the maul and connect with the head of Mr. McKinnon. He saw clearly the back of the hand as it went towards the left side of Mr. McKinnon's face. He saw a sharp recoil from Mr. McKinnon and thought immediately that he looked to have sustained an eye injury. Mr. Kelly looked straight away at his programme. He had seen clearly the perpetrator of the action to be West Hartlepool number 4 and according to the programme that was Andrew Davies. It was not possible that the arm belonged to any other person. Contact took place as Mr. McKinnon was

stationary. The only movement was from the Player's arm towards Mr. McKinnon's head.

27. Mr. Kelly was questioned by Mr. Stabler and confirmed his identification of the Player from the number on his back against the number and name in the programme. He had seen the arm high and straight and connect with Mr. McKinnon's head.

28. Oral evidence was also given by **MARTIN STEVENSON**. He was on the opposite side of the field to the maul, some 50 to 60 metres away. He had seen Mr. McKinnon's head sticking up clearly visible from the maul, and saw the Player who had used his hand and arm to deliberately interfere with Mr. McKinnon's face. The Player was quite distinctive, with a bandage round his head held together with blue tape. He saw the number 4 on back of the Player's shirt quite clearly, and looked at the programme to make a note of the name of West Hartlepool number 4.

29. He was asked to demonstrate the action he had seen, which he did in a manner consistent with that demonstrated by Mr. McKinnon and Mr. McCreedy. He was sure that he had seen the hand go in with the thumb extended. The Player's action had been a "jabbing action". He thought immediately it was a deliberate act and was shocked when he saw the extent of the injury.

30. Under questioning from Mr. Stabler, Mr. Stevenson confirmed that he had seen Mr. McKinnon pull his face away at the point of contact and had also seen something go into his eye. He had seen the number on the Player's back quite clearly, even though he was some considerable distance away.

### **The Player's Case**

31. The Player called first the Match Referee, **STEVE HAVERY**. Mr. Havery had refereed West Hartlepool three or four times. He described approaching a maul at the time and place previously described. He saw two players, Mr. McKinnon and West Hartlepool number 14, Rob Thorne, pop up simultaneously. He had not seen anything else. He had been referred to an injury to Mr. McKinnon at the stoppage almost immediately after the maul, and had signalled for a blood injury so he could go off for treatment. He confirmed

that it was mentioned to him again at half time and that an allegation was made that the injury had been caused by foul play, namely gouging, but the perpetrator was not specifically identified. He confirmed that he had seen an injury to Mr. McKinnon's eyelid. There were no other incidents in the game.

32. He had not been aware specifically of the positioning of the Player at the maul in question. He had however been surprised to hear of the citing. He did not recall Mr. McCreedy approaching him. He confirmed seeing a small "nick" on Mr. McKinnon's eye. He accepted that he had not had Mr. McKinnon in his sight uninterrupted throughout the incident.

33. When questioned by the Panel, Mr. Havery confirmed that Mr. McKinnon was indeed upset about his eye. He had refereed him several times and felt him to be the sort of player who would carry on with a game regardless of injury. When he came back on after treatment, he seemed to have calmed down from his initial upset. He confirmed that Mr. McKinnon seemed "aggrieved" by something, and from what he knew of the Player he did not feel he would have complained had the injury been caused accidentally.

34. When questioned by Mr. Moreland, Mr. Havery did not recall Mr. McKinnon saying that he had been gouged and him being asked what he was going to do about it. He had not seen how the maul had formed. He thought it came from a scrum followed by a kick and the maul had already formed by the time he arrived in an arcing run from the previous breakdown. He felt the injury could have been caused by a clash of heads, or by the action of a hand going into the eye. He could not rule out a gouging.

35. Evidence was taken from **DAVID TIGHE**, West Hartlepool Assistant Coach. He has played nine years and described having seen the maul and the lead up to it. Durham City had won a line out. The ball was caught, a maul formed and was driven from halfway towards his team's 22. He was in a defensive position, covering the blind side. There were three West Hartlepool forwards in the maul, together with number 14, Rob Thorne. The Player hit the maul to form a counter drive and he saw what he thought was a clash of heads. The game was stopped for a scrum. The Referee went back to the scene of the maul and then came to the scrum and made reference to a blood injury.

36. Mr. Tighe confirmed that Mr. McKinnon was towards the front of the maul square on and the maul was moving forward. Mr. Tighe was referred to a newspaper photograph which appeared to show the Player with no tape on his arms or wrist, but tape round a headband. He confirmed that another West Hartlepool player, Mr. Dixon, was the player seen with binding on his wrists. When asked, he conceded that the Player could have taken off any wrist binding during the game, but he was not sure about that.

37. Mr. Tighe described in great detail the line out, catch and drive and formation and driving of the maul. He confirmed that the Player and Mr. McKinnon were in close proximity in the maul. He could not explain why his recollection of the play prior to the maul was at such apparent odds with that given by the Match Referee, unless both of them were describing different incidents. He thought not on balance because Mr. McKinnon only left the field once for treatment to an injury.

38. The Panel next heard from **DAVE STUBBS**, Director of Rugby, West Hartlepool. Mr. Stubbs described the formation of the maul following a line out. He was walking down the side of the pitch, about 10 metres away from the maul. He saw three or four West Hartlepool players counter maul and attempt to drive backwards. The only one of those he recognised was number 14, Rob Thorne. He saw Mr. McKinnon and Rob Thorne opposing each other. Mr. McKinnon already had a black eye and a wound under his eye. He was certain that Mr. McKinnon had been injured before the game and that the injury he was treated for on the field was not as a result of anything which had happened during the game. He was certain about this because he had had a conversation with Mr. McKinnon before the game and he already had the black eye then. He denied that the laceration to the eyelid had been caused in the game or in the manner described. That injury may, he suggested, have been caused by a clash of heads.

39. When asked why Durham City should have made a citing complaint and produced four witnesses giving oral evidence that foul play had been committed, he alleged that the Player had been specifically targeted in bad faith by Durham City. He was a good player and although he had had disciplinary problems in the past, his behaviour of late had been exemplary. It was no surprise to him why an opposing team should bring a false claim.

40. When questioned by Mr. Moreland, he was referred to minutes of West Hartlepool RFC disciplinary meeting, 3<sup>rd</sup> April 2008. He had not been present at that meeting, but he described the minuted record as inaccurate and wrong. He then went on to describe the medical evidence from Sunderland Eye Infirmary as circumstantial and maintained that he injury had been caused earlier in the game as a result of a clash of heads. He continued to maintain that the citing allegation had been fabricated by Durham. He was disappointed that Durham had taken this action in an attempt to take the Player out of the game in this way.

41. When asked in greater detail about what he actually saw of the incident at the maul as described by the other witnesses, he was less sure. He was prepared to concede on reflection that Mr. McKinnon had been in close proximity to the Player. He accepted that the incident could have happened as described and that he had simply not seen it, though he denied seeing any impact to the face at any point. He agreed that had the Referee seen an incident as described by Durham City witnesses, that he would have sent the Player off.

42. Mr. Stubbs was shown the photograph of the injury to the eyelid taken about four hours after the game and confirmed that he had not seen this injury before the game. He accepted that some considerable force would be required to cause an injury like that and that the injury could have been caused in the manner described and complained of. However, he still maintained that the injury could have been sustained accidentally, or that it could have been someone else other than the Player who was responsible for it.

43. Finally, Mr. Stabler asked us to consider written statements from Mr. M.C. Robinson, Mr. M. Geritz, Mr. D. Bennett and Mr. R. Sutherland. Mr. Stabler confirmed that it was not the intention of the Player to give any evidence as he did not wish the Player to be cross-examined, having been warned at the outset of his case that if he chose to give oral evidence he could be questioned.

### **Final Submissions**

44. Mr. Moreland asked us to consider whether we really had any evidence to conclude just what the Player's case was. Was it alleged the injury was caused by a clash of heads,

with West Hartlepool number 14, with another player as yet unidentified, or by the Player himself by accident. It had even been suggested obliquely that the Player might have slipped in the wet underfoot conditions. However, no cogent evidence and been advanced in support of any contention. The Player and his witnesses has simply sought to deny every aspect of the citing complaint brought by Durham. On the other hand, the Panel had heard from four live witnesses, who were all clear in what they thought they had seen. He accepted that there had been inconsistencies and discrepancies between the various accounts. However, overall these were minor inconsistencies and the Panel should in these cases be suspicious of witnesses whose written statements and/or oral evidence were identical. The common denominator in all the witness evidence heard and cross-examined upon, was that contact was made between the Player's hand and Mr. McKinnon's eye. Mr. McKinnon had no doubt in his mind. The medical evidence came from the assessment of medical practitioners, not just what Mr. McKinnon had told them and was generally inconsistent with any explanation the Player or his Club had been able to put forward. The issue of strapping on the Player's wrists had not been put to any Durham witness and had come late in the day to support what appeared to be the Player's allegation of mistaken identity.

45. Mr. Moreland also submitted that no mental element was required in terms of intent. No-one at West Hartlepool could put forward a cogent explanation as to how the injury had occurred. The Club and the injured player had not taken the citing procedure lightly. It was taken with regret and the first such case they had taken in living memory. He accepted that because of the serious nature of the case and the injury sustained, a high standard of proof would be required.

46. On behalf of the Player, Mr. Stabler submitted that the citing Club had to prove the Player was the person who caused the injury, whether intentionally or recklessly. West Hartlepool and the Player could not say who was responsible. Mr. McKinnon did not know who it was when he spoke to the Referee. Mr. McCreedy, the Durham City Coach, clearly did not like the Player. This could be inferred clearly from the tone of his statement. Mr. Stabler believed that Mr. McKinnon had been told by the Club that the perpetrator was the Player and that at the time he did not know who it was. Mr. Stevenson's evidence had not been clear and Mr. Stevenson's evidence about bandages on

the Player's wrist had clearly been wrong. The newspaper photograph clearly showed no wrist bandaging. He made no specific comment about the evidence of Mr. Kelly.

47. He highlighted what he submitted were substantial inconsistencies in the Prosecution case and when these were set against the very high standard of proof for such a serious allegation, the Panel could only conclude that there were too many doubts for the standard to be properly reached. No adverse inference should be inferred from the Player's exercising his right not to give evidence and be cross-examined, nor from the absence of a written statement or oral evidence from West Hartlepool number 14, Rob Thorne, who, it had been suggested during the Player's case, may have been responsible for the player's injury in a clash of heads. Finally, when asked whether there was anything he wished to say, the Player repeated the denial given at the outset.

#### **Decision on the Citing Complaint**

48. We find the charge of making contact with the eye or eye area of an opponent contrary to Law 10(4)(k) proved. We find this proved to a high standard and unanimously for the following reasons :

(i) Although there were some inconsistencies in the citing Club's witness evidence, such inconsistencies were minor or peripheral. The evidence given with regard to the contact was consistent, clear, cogent and compelling. We are satisfied the injury was caused as alleged by Mr. McKinnon in that the Player's hand was applied with some force to the eye area of the victim player.

(ii) The injury complained of could not, in our view, have been caused in any of the ways suggested by the Player. The medical evidence was clear and consistent with a finger or thumb being applied to the eyelid with some force.

(iii) We are satisfied that the injury was caused by the Player, Andrew Davies. No credible evidence to the contrary was adduced by him or his Club, the witnesses giving evidence on his behalf all conceding that he was present at the maul and could have caused the injury, but that they had not seen any such injury caused.

(iv) The Player and his Club had put forward a number of possible explanations for the injury. However, they had not sought to develop those arguments or substantiate them with any cogent evidence. It had been suggested that the Player may have slipped in the wet underfoot conditions, but he had not given any evidence to that effect. It had also been suggested that the Citing Club had been motivated by bad faith and that Mr. McKinnon had been told who it was the Club wanted to cite. We can see no evidence for this and believe from what we have heard that Durham City RFC and Mr. McKinnon took the citing process forward reluctantly, genuinely and in good faith as a direct result of a serious injury through foul play to one of its players. It was further suggested that the Player was mistakenly identified and that in fact another West Hartlepool player, number 14, Mr. Thorne, may have been responsible. Mr. Thorne had given evidence neither by written witness statement, nor orally. The additional suggestion was that another West Hartlepool player, Mr. Dixon, who was wearing wrist bandaging, may have caused the injury, but again there was no written or oral evidence from this player.

(v) The Player's defence was a simple denial of any involvement in the incident alleged. His witnesses had consistently stated that they saw nothing. Mr. Stubbs had gone further to deny that the injury complained of had been caused in the manner alleged.

(vi) The injury had not been caused by accident. Contact with the eye by West Hartlepool number 4 had been seen clearly by a number of witnesses and the injury could not, in our mind, have been caused in any other manner than as described by the witnesses for the citing Club. It seems to us that it would take some considerable force to lacerate an eyelid because behind it is not bone or hard tissue, but the softer tissues of the eyeball.

#### **The Player's Submissions on Entry Point and Mitigation**

49. Mr. Stabler referred us to the fact that there was no reaction from the players. The Player had received treatment and continued to play the rest of the game. He did not regard him as particularly vulnerable. There was no premeditation – it was an instantaneous act and the Panel should categorise the offending behaviour as at the low end.

50. Mr. Stabler accepted that the Player did not have a good disciplinary record. However, in the last twelve months he had kept out of trouble and we were asked to consider the references submitted on the Player's behalf. He was remorseful about the injury to the eye. He is a highly regarded player at West Hartlepool, having stuck with the Club through the bad times when they were going down the leagues and he had played no small part in helping turn the Club around. This season it had achieved its first promotion for many years. The Player does some work coaching junior rugby within the Club.

### **Decision on Entry Point**

51. We find the offending to be intentional, i.e. committed with a deliberate action. It was a thumb or finger into the eye with considerable force. There was no provocation. Although the victim player continued the game after treatment, that with hindsight had been a significant error. He had been significantly injured, having sustained a full thickness left upper lid laceration requiring seven stitches to the inside and outside surfaces, together with a sub-conjunctival haematoma. Fortunately, there was no permanent damage to vision. The victim player was particularly vulnerable in that his arms and hands were trapped into the maul. The only action he could take to try and avoid the hand coming into his face was to move his head sideways, but this did not stop or reduce the contact. The conduct was completed. It was a "cheap shot" of the type players do not accept. The only on field issues which we do not find apply are those of premeditation and an effect on the game, the latter being mainly as a result of players in the game not seeing the foul play at the time.

52. Having considered all the above matters, we find unanimously that this is a top end entry point and that the appropriate starting point in the range 24 to 156 weeks is 38 weeks.

53. We now consider whether there are any off field aggravating factors and find one significant such factor. We have seen the Player's previous disciplinary record. It is one of the worst we have seen. We noted particularly the following three matters (though these are not the only matters on the record):

2.12.03	12 week suspension for striking
16.8.04	12 week suspension for Referee abuse

28.11.06 20 week suspension for striking.

54. These are significant periods of suspension and we conclude that the Player is a persistent offender. Clearly, the last three periods of suspension of 12, 12 and 20 weeks respectively have not served as a sufficient deterrent. He is fortunate indeed that permanent injury was not caused on this occasion. We therefore add to our starting point of 38 weeks a further fourteen weeks, making a total of 52 weeks. We find no relevant mitigating factors which would reduce this sanction.

### **Sanction**

55. The Player is suspended for 52 weeks from 7<sup>th</sup> May 2008 to 6<sup>th</sup> May 2009. He may play again on 7<sup>th</sup> May 2009.

### **Costs**

56. The Player is ordered to pay the costs of £100.00.

### **Appeal**

57. The Player was advised of his rights of appeal as set out in RFU Disciplinary Regulations.

*Antony Davies*

Antony Davies,

Chairman

8<sup>th</sup> May 2008

