

“On 42 minutes there was a ruck central in the field where Fylde were in control of possession. Nick King was on the side of the ruck where there were Harrogate players lying on the ground. Nick King, who was on his feet, moved down the side of the ruck and stamped once onto the ankle of a Harrogate player. Nick King was yellow carded.”

Second Yellow Card – Macclesfield v Fylde – 3rd November 2007

5. The Referee’s explanation of the offence reads as follows:-

“After a tackle close to the touchline, around halfway, a Macclesfield player and the Fylde number 4 grappled on the ground. The Fylde player then threw a punch which hit the Macclesfield player on the top of the head.”

Third Yellow Card – Morley v Fylde – 24th November 2007

6. The Referee’s explanation of the offence reads as follows:-

“A lineout had formed near to the halfway line, the ball was thrown in and King jumped on his opposite number’s back, who was going for the ball, grasped him round the neck and took him out of the lineout and onto the ground.”

7. Save for these brief explanations, the Panel had no further information or reports, save for the comments to be made by the Player.

The Player’s Case

8. On the Player’s behalf, it was explained firstly in relation to the stamping that the Player accepted he had stamped once only, causing no injury or reaction in the game. He had disputed at the time that the stamp was on an ankle but had not felt it worth appealing the yellow card as there had been no injury and the game had continued without incident.

9. In respect of the second yellow card, the Player described a tense local derby in which the Player had been targeted repeatedly by opponents. The Match Officials had not seen the several punches to the face and body of the Player, only the retaliation which consisted of a single punch connecting with the top of the head and causing no injury. There was no effect upon the game.

10. So far as the lineout offence was concerned, on the Player's behalf it was submitted that this was rather more a technical lineout offence than foul play per se, but again no injury had been caused and there was no effect on the game.

11. The Player is 32 and has enjoyed a long and distinguished rugby career. He has played rugby at County and Divisional level and for England Schoolboys. He has spent some six years playing at Level 2 (National 1) and was now playing at Level 4. He is described as a typical old fashioned lock, physically passionate, standing at 6ft. 8ins. and 21 stone, yet having never been sent off or previously appeared before a Disciplinary Committee. This was despite the level at which he had played and that because of his size and reputation he had been "targeted" repeatedly at Level 4.

12. It was explained that the Player was a fine role model within the Club and set a good example. He worked with the Club Academy and Colts and this behaviour was entirely out of character for him.

Factual Findings

13. The "totting up" of three foul play yellow cards within a season is dealt with under Law 10(4)(k). Before applying the recommended sanction set out in Appendix 2 of the Disciplinary Regulations, the Panel was first required to undertake an investigation into the seriousness of the Player's conduct and categorise that conduct in this case as either low end or top end. Mid range is not available.

14. The recommended sanction for a low end entry point in these circumstances is one week and for the top end "the lower end of the range for the most serious of the yellow card offences".

15. The Panel noted that in respect of all three offences the low end entry point was two weeks.

16. The Panel went on to consider whether, on the very limited and restricted information it had available to it, any of the three offences could be characterised as top

end entry point. It concluded that in the absence of any evidence of injury or effect upon the game, that it could not and therefore characterised the offending as low entry point, meriting one week's suspension. The Panel did not feel it necessary to specify which of the individual offences it was thus characterising as low end as the end result was exactly the same.

17. It was also noted that had the Panel come to the conclusion that the correct entry point was top end for any of the offences, it would have approached the matter from a starting point of two weeks' suspension. There had been significant mitigation put forward on behalf of the Player (particularly his exemplary playing record). The Panel would have been minded to have reduced the period of suspension on account of this from two weeks to one week in any event and so the end result would have been the same.

Sanction

18. The Player is suspended from playing Rugby Union for a period of one week commencing 3rd December 2007 up to and including 10th December 2007. He is free to play again on 11th December 2007.

Costs

19. The Player will pay the costs of £150.00.

Appeal

20. The Player was informed of his right of appeal.

Antony Davies

Antony Davies,

Chairman

5th December 2007

