

RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

Judgment

At: Holiday Inn, Brighouse, West Yorkshire
On: Monday, 9th March 2009
Player: **CHRIS JONES** **Club:** Sale Sharks
Match : Saracens v Sale Sharks
Venue: Vicarage Road, Watford
Date of Match: 1st March 2009
Panel: Antony Davies (Chairman), Peter Rhodes and Derek Morgan
Secretariat: Bruce Reece-Russel (RFU Disciplinary Manager)
Attending : Chris Jones (“the Player”)
Kingsley Jones (Sale Sharks Coach)
James Jennings (Sale Sharks Chief Executive Officer)
Peter Larter (Citing Officer)

Preliminary Matters

1. The Player did not object to the composition of the Panel.
2. The Player raised no preliminary issue.

Charge and Plea

3. The Player admitted the charge of stamping contrary to Law 10(4)(b).
4. The charge followed the receipt of a citing report compiled by the nominated Citing Officer, Peter Larter.

The Facts

5. We considered the Citing Officer’s written report, the pertinent points of which

can be summarised as follows :

“Sale Sharks were attacking just within the Saracens 22 metre line. Saracens number 5 (Hugh Vyvyan) attempted to tackle the Sale ball carrier but was pushed backwards. As he attempted to go back into the tackle he fell to his knees and became trapped on his left side in the ensuing ruck, with his legs protruding out of the left side and to the Sale side of the ruck. As the Sale number 6 (Chris Jones) joined the ruck from the left side, he stamped with his right boot on the outside of Vyvyan’s right knee then he stood with his left boot on the inside of Vyvyan’s left leg in the ankle/heel area; he then stamped with his right boot on the outside of Vyvyan’s right thigh, just above the thigh strapping and raked his boot downwards towards the knee area; and finally he stamped with considerable force with his left boot on the outside of Vyvyan’s right leg just above the ankle. The ball can be seen emerging to the right of Vyvyan’s head on the other side of the ruck to his legs. Vyvyan was not impeding release of the ball. Vyvyan did not appear to be injured and played for the remainder of the match.”

The Citing Officer had spoken with the Referee, who was on the far side of the ruck and unsighted. He also consulted the nearside Assistant Referee and he also stated that he had not seen the offences.

6. The Panel concluded that the citing was properly brought.
7. The Citing Officer expanded upon his written citing report by reference to a DVD of the incident, both in real time and slow motion.

The Player’s Case

8. The Player accepted the description of the incident in the Citing Officer’s report and that the DVD appeared to corroborate the matters therein set out. The incident for him did not particularly stand out from the game. Mr Vyvyan is a good friend of his. They have roomed together whilst playing for England Saxons. He would not want to cause any injury to Mr Vyvyan. Nonetheless, he accepted the incident as depicted on the DVD did not “look good”.

9. As to his motivation, he described that he was trying to get Mr Vyvyan away from the ball. He had his head down and was looking and going forward. He was not looking where he was putting his feet. He accepted that he was depicted raking the legs of Mr Vyvyan, but maintained that these were backwards raking movements rather than downward stamps. Mr Vyvyan did not remember anything of the incident, was not injured and indeed had no marks on his legs. The Player did not know the identity of the player on the ground at the time. He could not actually see the ball but had a fair idea of where it was. He accepted that his attempts at “rucking the player” could be depicted and construed as foul and dangerous play and it was on this basis that he had admitted that charge.

10. As to his record, he has never been sent off or involved in a previous citing. He has played over 150 first class and representative games in the last eight years. He proudly and jealously guarded his exemplary record. He is remorseful for having tarnished that and undermined the faith that his Coach has placed in him. He feels particularly to have let down his Club and team mates having been suspended by the Club (quite properly, he accepts) and as a consequence missing a very important game the previous day in which his Club had led but then lost in the last few minutes by one score. He also explained certain personal circumstances which had made his appearance before the Panel during the evening very difficult.

The Club's Position

11. Mr Jones explained that the Club was very disappointed that the Player had tarnished his excellent disciplinary record. He can be somewhat “clumsy”, but the DVD did appear to show his feet going backwards rather than straight down, so the incident could quite properly be characterised as illegal rucking of a player (foul play) rather than stamping with any intent or malice. As a Club they could not condone such actions, though they believed the player was genuinely remorseful. The Club had considered the incident upon receipt of the citing, and on 4th March had commenced an internal suspension pending the appearance before the Panel.

Entry Point and Sanction

12. The incident was correctly cited and characterised by the Panel as clumsy, over-exuberant and dangerous rucking of a player's lower body on the ground. The Panel accepted the Player's evidence that he was not trying to cause any injury and bore no malice at all, corroborated by the fact that there was no evidence of any injury, or indeed a mark on the victim player. Had the Player intended any injury, he could certainly have caused the same by his action. However, the actions were reckless, with a potential for serious injury, carried out on a player whose upper body was trapped within the ruck and could not get away. To that extent, he was a vulnerable victim and it was noted that the Player's boot made contact with the victim player's lower legs on four separate occasions.

13. Having considered the above, the Panel characterised the offending as low end entry point, giving a starting point of suspension of two weeks. The Player is given credit for his guilty plea, exemplary record and conduct before the Panel.

Sanction

14. The Player is suspended from 4th March 2009 to 10th March 2009 inclusive. He may play again on 11th March 2009.

Costs

15. The Player will pay the costs of £250.00.

Right of Appeal

16. The Player was reminded of his right of appeal against this decision as set out in the Disciplinary Regulations.

Antony Davies

Antony Davies,

Chairman

10th March 2009