

RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

Judgment

At: Holiday Inn Leeds Brighouse
On: Monday, 13th October 2008
Player: **SAM WOODS** **Club:** Sedgley Park
Match: Fylde 2 v Sedgley Park 2
Date of Match: 13th September 2008
Panel: Antony Davies (Chairman), Barry O'Driscoll and Peter Rhodes
Attending: Sam Woods ("the Player")
Geoff Roberts (General Manager, Sedgley Park RUFC)

Preliminary Matters

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

2. The Player had received a red card for striking an opponent. In a letter to the Panel indicating the Player's guilty plea, the Secretary of Sedgley Park RUFC had indicated that the Player believed he was to be attacked and acted in self defence. The Player confirmed that, having taken advice, it was not his intention to proceed with his case on the basis of self defence.

Charge and Plea

3. The Player pleaded guilty to the charge of striking an opponent, contrary to Law 10(4)(a) during the match Fylde 2 v Sedgley Park 2 on 13th September 2008.

4. The Panel considered :
 - (i) The sending off report of the Match Referee, Mr. K. Warwick.
 - (ii) Oral evidence of the Player.
 - (iii) Representations and submissions from the Player's representative.

- (iv) A letter from Fylde Rugby Club signed by the victim player.

The Facts

5. The incident occurred in the 25th minute of the first half of the match. The Referee's report stated :

“A ruck occurred just outside the Fylde 22. Sedgley Park were in possession. I blew my whistle for a penalty as the Fylde 4 handled the ball on the floor. When the Fylde player stood up, he and a Sedgley player (Sam Woods) grabbed each other round the collar and postured aggressively towards each other. I blew my whistle again and shouted “step back”. I then witnessed Sam Woods “wind up” and deliver a single punch with his left hand with full force. The punch connected just above the left eye of the Fylde number 4. Both players then stood back. I split the teams up and urgently got treatment on the pitch as the Fylde player's left eyebrow was split open approximately 1 ½ inches and bleeding profusely. The player went off for 15 minutes whilst the Club Doctor administered three stitches. Afterwards, in the bar the Coach and Sam Woods protested their innocence, claiming self defence”.

6. The Player accepted the Referee's report, save for one matter. The Referee was wrong to have described a blow with his left hand. He had in fact used his right hand, but in all other respects the Referee's report was correct.

7. The Referee was 3 metres away from the incident and had an unobstructed view. There was no DVD of the incident to assist the Panel.

The Player's Case

8. The Player stated that he had reacted to a “stiff arm” tackle on one of his own team mates by the Fylde 4 and had grabbed him at almost the same time as he himself had been grabbed. They were, as the Referee described, posturing towards each other, each holding the other's shirt collar with their left hands. He felt clearly that it was a

case of punch or get punched, and in the split second he decided to strike the first blow. He accepted that it was after he had heard the Referee's whistle and that the victim player did not retaliate or throw any punch. He conceded the injury sustained, but pointed out that the player had returned to play the rest of the game after receiving treatment. After the game, he had spoken with the victim player and bought him a drink. They had shaken hands and there was no on-going animosity or ill-feeling between them.

9. The Player produced a letter from Fylde Rugby Club signed by the victim player, which described the incident as something that should not have happened as both players should have walked away. The game was otherwise played in good spirit. The letter stated "the Sedgley player hit me before I could hit him".

10. The Player described his playing career. He has played first grade rugby in both New Zealand and Australia and has played representative schools rugby in New Zealand. In ten years, he has never received a red card. This is his first transgression. His representative confirmed that he was highly regarded at the Club and prayed in aid his unblemished career hitherto. The Club regarded themselves as having a good disciplinary record.

Sanction and Entry Point

11. The Panel undertook an assessment of the seriousness of the Player's conduct, and found as follows :

- (i) The offending was intentional, that is committed deliberately;
- (ii) The striking was with a closed fist with force to the head of the opponent;
- (iii) The victim player was injured and required treatment (3 stitches), though he did return to the field and play the rest of the game;
- (iv) There was no effect upon the game;
- (v) The victim player was not unduly vulnerable, having said he was hit before he could hit the Player;
- (vi) The conduct was completed – one punch only.

12. In these circumstances, the Panel felt unanimously that the appropriate entry point is mid-range, therefore giving a starting point of five weeks' suspension. The Panel found no relevant aggravating factors and took into account the Player's plea, record and remorse and reduced the five week entry point on account of these matters by two weeks, giving a suspension of three weeks.

13. **The suspension will commence from the date of our determination, namely 13th October 2008, and run up to and including 3rd November 2008. He is free to play again on 4th November 2008.**

Costs

14. The Player will pay the costs of £200.00.

Appeal

15. The Player was informed of his right of appeal as set out in Disciplinary Regulations.

16. In view of Disciplinary Regulation 2.2.2, the Panel was somewhat surprised that a Club playing at Level 2, being perfectly aware that one of its players had received a foul play red card, had not carried out any formal disciplinary investigation. It appeared that at best there had been an informal discussion and the matter left for the appropriate external authorities to resolve. Furthermore, the Player did not seem to have had the benefit of any advice on the disciplinary process, Disciplinary Regulations and the potentially equivocal nature of his originally intended plea, for which, had it been pursued, he would have been ill-prepared.

Antony Davies

Antony Davies,

Chairman

15th October 2008