

RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

At: Holiday Inn, Brighouse, Leeds

On: Monday 22nd March 2010

JUDGMENT

Player: Dan Rayson (30/11/1990)

Club: Westoe RFC

Match: Westoe RFC v Leicester Lions RFC

Venue: Westoe

Date of Match: 13th March 2010.

Judicial Officer: Peter Rhodes

Secretary: Liam McTiernan (RFU Disciplinary Department)

Attending: The Player
Duncan Murray (Club Chairman, Westoe RFC)
Andy Howells (Director of Rugby, Westoe RFC)

To Consider: That on 13th March 2010, Dan Rayson, Westoe RFC, kicked an opponent during the match Westoe v Leicester Lions, contrary to Law 10(4)(c).

Preliminary Issues

The Player did not object to the composition of the panel consisting of one judicial officer.

As a preliminary issue the Judicial Officer was addressed by Duncan Murray and Andy Howells when they stated that on the evidence of the DVD a more appropriate charge should be that the Player had tripped an opponent, contrary to Law 10(4)(d). Having viewed the DVD, the Judicial Officer accepted the representation and exercised his discretion in accordance with Regulation 5.6.2 and amended the charge to read that the Player tripped an opponent during the match Westoe v Leicester Lions, contrary to Law 10(4)(d).

Charge and Plea

The Player admitted tripping an opponent contrary to Law 10(4)(d).
The panel has considered:

1. The referee's report dated the 15th March 2010.
2. The DVD.

The referee's report recorded that the Leicester Lions No.15, cut through the Westoe defensive line in centre-field just inside the Westoe half. As a result he found himself one-on-one with the Westoe No.15 (the Player) approximately 25 metres from the Westoe try line. The Leicester Lions No.15 chipped the ball over his opposite number and stepped to his left to run around the Westoe No.15. As this happened, the Westoe No.15 raised his right foot off the ground and, without any back-lift, kicked out at the Leicester Lions No.15 striking him mid-way up his right shin. This brought the Leicester Lions No.15 to the ground. The kick aimed at the Westoe No.15 was a deliberate act to bring the opposing player to the ground and was dangerous foul play.

Evidence as to Fact.

The DVD shows the Leicester Lions No.15 just inside the Westoe half, running towards the Westoe try-line having cut through the Westoe defensive line. As he approaches the Player he chips the ball over his head and commences to run around the Player to follow up his kick. The only player between Leicester Lions No.15 and the try-line is the Player, although at least one Westoe back is seeking to cover back. As the Leicester Lions No.15 draws alongside the Player, the DVD clearly shows the Player raising his foot in such a way as to impede the Leicester Lions No.15 passing him. The Leicester Lions No.15 falls to the ground having tripped over the Player's foot/leg. The referee stops the game immediately and gives a red card to the Player.

Defence Submissions

1. The Player did not try to trip the No.15, merely get in his way.
2. The Westoe club had held a disciplinary hearing and had considered that sending off was sufficient.
3. The Player was a young man who did not have a disciplinary record and helped at the club and the Newcastle Academy with the younger members.

Findings

An act of foul play had been committed on the basis of the Player's plea and consideration of the DVD. The Judicial Officer then conducted an assessment of the Player's conduct and found as follows;

- (a) The Player had acted without malice.
- (b) The offending consisted of tripping an opposition player who was not injured and was able to continue playing.
- (c) There was no effect on the game.
- (d) The conduct was completed.
- (e) There were no other relevant features to the offending.

Having regard to the findings above the Judicial Officer categorised the offending as being at the low end of the scale of seriousness. The low entry point for an offence under 10(4)(d) is two weeks.

Sanction

In the light of the circumstances the Judicial Officer concluded that the entry point was a suspension of two weeks. The Judicial Officer then considered aggravating factors set out in the Regulations and found there to be none present. The Judicial Officer then considered the mitigating factors set out in the Regulations. In the light of the Player's admission and exemplary record, the Judicial Officer concluded the Player merited a discount of 50% from the entry point. The Player was accordingly suspended for 1 week from 22nd March 2010 until 29th March 2010 and can play as from 30th March 2010.

Costs

Pursuant to Regulation 8.3.1 The Player and/or his club shall pay the costs of the hearing of £150 in accordance with Appendix 6 of the Disciplinary Regulations, such costs to be paid within 21 days of receipt of this judgment.

Right of Appeal

The player was advised of his right of appeal. Such appeal must be lodged with the RFU Disciplinary Department by no later than 1000hrs on the 14th day following receipt of this judgment.

Signed: Peter Rhodes, Judicial Officer.

Date: 24th March 2010