

- (i) The sending off report of the Match Referee, Stefano Roscini.
- (ii) A DVD of the incident.
- (iii) Notes of the disciplinary hearing held on 13th October 2009 by Broadstreet RFC.

The Facts

4. The Referee's report recorded as follows :

“Mr. Rooke drove through the centre of a ruck and came into contact with Macclesfield 17 (M17). Mr. Rooke drove M17 back several metres and both players ended up on the floor with Mr. Rooke on top of M17. [The Assistant Referee, Craig Lord] clearly observed Mr. Rooke pull back his arm and strike forcefully at M17 several times. He was unable to see the contact point of the punches due to the position of the players. A second Macclesfield player intervened and pulled Mr. Rooke off M17 and they moved several metres away from the site of the initial incident towards the middle of the pitch and he observed Mr. Rooke throw several more punches at the intervening player. The contact points of these punches was not clearly observed but the player indicated that he had been struck in the fact and bruising was observed. A red card was recommended.”

5. The Panel observed a DVD of the incident, which confirmed that description but from which it was difficult to discern the contact points of the various punches.

The Player's Case

6. In the Player's statement to the Broadstreet RFC Disciplinary Panel, he maintained that he was interfered with by an opposition player and deliberately kicked, and, as he came through the ruck, was struck on the nose and dragged to the ground by M17. There was an exchange of punches on both sides. That incident came to an end and he got to his feet, when another player, M6, rushed towards him from several metres with, he believed, intent to hit him. He threw a number of other punches to defend himself.

7. The Player indicated that he had apologised to the opponent after the match and

shaken his hand. He had been unable to locate the Match Official to apologise.

Entry Point

8. The Panel considered the criteria set out in DR 8.2.5 and found the following matters of relevance :

(a) The Player's actions were carried out intentionally, i.e. with a deliberate action. He had struck out on a number of occasions in two separate incidents involving two different opponents. There was much pushing and shoving and posturing accompanying the fisticuffs.

(b) There was some element of provocation, though the full extent of such provocation as advanced by the Player was not wholly accepted.

(c) M17 was described as "uninjured". The other Macclesfield player was described to have had "bruising" under his eye, though was able to continue to play.

(d) M17 was vulnerable to the extent that he was on the ground with the Player on top of him.

(e) The striking was spontaneous rather than premeditated. It was completed and involved two opposition players. It was difficult for the Panel to discern exactly where the punches had landed.

9. Having considered and balanced all the above factors, the Panel finds that the offending should be characterised as being in the MID RANGE of the scale of seriousness. Appendix 2 to the Disciplinary Regulations gives a recommended sanction for a medium range offence of striking of five weeks.

10. The Panel finds no aggravating factors.

Mitigation

11. The Player has never been sent off in his playing career before. He plays rugby

twice a week, both for Broadstreet RFC and West Midlands Police RFC. He apologised to the opposing player and had expressed regret to the Club over the incident after the match, stating that he knew he had let the Club, himself and his team mates down. He had admitted the offence, both to his Club and to the Panel.

12. Taking account of the above the Panel felt that the Player was entitled to a reduction in sanction of two weeks.

Sanction

13. The Player is therefore suspended for a period of three weeks from 4th October 2009 to 24th October 2009 inclusive. He may play again on 25th October 2009.

Costs

14. Costs of £75.00 are ordered to be paid by the Player/Club.

Right of Appeal

15. The Player was reminded of his right of appeal as set out in Disciplinary Regulation 11.

Antony Davies

Antony Davies,

Chairman

10th November 2009

