RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

At: Holiday Inn, Filton, Bristol

On: Tuesday 15 September 2008

JUDGMENT

Player: Andy Hazell

Club: Gloucester Rugby

Match: Gloucester Rugby v Bath

Venue: Gloucester

Date of Match: 6 September 2009

Panel: Rick Charles (Chairman), Mike Curling and John Doubleday

Secretary: Liam McTiernan

Attending: The Player.

Rob Burgess Gloucester Head of Rugby Operations

Bryan Redpath Gloucester Head Coach

Peter Coulston - Citing Officer

Charge and Plea

1. The Player was cited for stamping on an opponent contrary to Law 10(4)(b). He pleaded guilty to the charge. Accordingly the Panel upheld the citing.

The Facts

2. The citing report stated: "Evidence by DVD –two camera angles. A Gloucester Player catches a high kick, goes to ground, pile up, ruck called. Taken forward by Glos into another tackle situation, pile of bodies, ruck called. Gloucester No7 Hazell joins second ruck and enters into side. He is seen to stand up, raise his hands and his knee can be seen to drive downwards. There is a reaction from some Bath players on that side of the ruck. The referee blows his whistle separates the sides and makes his way to his Asst Roy Maybank on the far touchline. A second camera angle shows Hazell pulling/lifting a Bath players leg from the ruck and throwing/tossing it on the ground on the outside of the ruck and fully exposed. Hazell then stamps on this leg in the area of the knee or just above the knee with his right foot. There was no injury stoppage. The

referee is seen and heard talking to his Asst. The Asst saw a stamp "on the calf" and recommended a yellow card which was given to Hazell and Bath given a penalty. Subsequent discussions with the referee agreed he was on the blindside and saw no detail of the incident. He knew something had happened by the noise from the "Shed" and the reaction of the Bath player Andy Beattie. He then took guidance from his Asst. Roy Maybank on that side confirms he saw the stamp but at the time thought it was on the fleshy part of the leg and that it was an act of frustration."

- 3. The panel then viewed the DVD recording of the incident and the footage was consistent with the report of the citing officer. The citing officer stated that the contact with the leg of the Bath No 7 (Julian Salvi) was in the area just above the right knee. There was no evidence of injury and the Bath No 7 played on. The Panel also had available the RFU Caution Report completed by the referee and assistant referee. This was consistent with the report of the citing officer and referred to a deliberate stamp on the leg (but not on a joint) of a Bath player.
- 4. The Player accepted that his actions were stupid and were a result of his frustration with a build up of difficulties in the contact area. He did not intend to cause any injury. It was the first game of the season and was a local Derby. The last home game had been a disappointment and he was wound up. He felt that control of the breakdown was slipping away due to persistent offending by the Bath No 7. He accepted that the ball had not been near the Bath No 7 at the time of the stamp.
- 5. Bryan Redpath gave the coaches perspective and stated that with the new interpretation with the tackler being involved in the breakdown, interpretation of the contact area is difficult. It was pointed out that of the 9 penalties conceded by Bath in the first half of the game, 5 related to illegal activities by the Bath No 7. He was causing difficulties in the contact area and this was causing frustration.
- 6. Rob Burgess on behalf of the Player submitted that the stamp was on the leg above the knee and on the line out tape, not on the knee joint itself. The DVD footage shows that the front of the boot was used, not the full weight of the heel. As the stamp is happening the Player looked across to the referee on the other side of the breakdown indicating that there was no intent to do harm. The DVD showed that for a short period before the incident Mike Tindall of Gloucester was indicating to the referee that a Bath player was slowing down release of the ball.

Mitigation

10. The Player has a good disciplinary record and is not known as a "dirty player". Bryan Redpath described him as a very honest and passionate player who had no disciplinary record in the last 5 years he has been associated with the club. The Player has accepted responsibility for his actions by his plea of guilty. It was submitted by Rob Burgess that the yellow card was in itself sufficient punishment in the circumstances that

he had already outlined.

Sanction

- 11. The panel undertook an assessment of the seriousness of the player's conduct. We concluded that the offending was deliberate and complete as the Player had moved the leg of the Bath No 7 and then stamped on it above the knee. We accepted that the Player had been frustrated by what he saw as the persistent actions of the Bath No 7 in slowing down Gloucester ball at the breakdown. Other than a brief stoppage for the award of the yellow card and the reversal of a penalty about to be awarded to Gloucester, there was no effect on the Bath No 7 or the game. We considered that the Bath No 7 who was on his front was vulnerable. On balance we categorised the offending as being at the LOWER END of seriousness.
- 12. The LOWER END entry point for stamping is a suspension of 2 weeks. The panel considered the aggravating features and mitigating factors. We did not consider that there were any clear aggravating factors and we took into account the Player's previous good record character, his acknowledgement of guilt and his openness at the hearing. While we accepted the Player's account of his frustration, we were clear that this could not justify him taking matters into his own hands. We reduced the period of suspension by the maximum 50% to reflect the mitigating circumstances and award a suspension of 1 week. The Player will be free to play again with effect from Wednesday 23 September 2009.

Costs

13. Costs of £250.00 are awarded against the Player/Club.

Right of Appeal

14. The Player was reminded of his right of appeal against this decision under Regulation 11.