RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

At: Holiday Inn, Filton, Bristol

On: Tuesday 15 February 2011

JUDGMENT

Player: Bryn Griffiths

Club: Cardiff Blues RFC

Match: Harlequins RFC v Cardiff Blues RFC

Venue: Stoop, Twickenham

Date of Match: 6 February 2011

Panel: Rick Charles (Chairman), Geraint Edwards (WRU) and Mike

Curling (RFU).

Secretary: Liam McTiernan

Attending: The Player.

Bob Norster CEO Cardiff Blues

Preliminary

1. The Panel was constituted in accordance with Appendix 5 to the Anglo-Welsh Cup Regulations 2010/11 and the hearing was conducted in accordance with IRB Regulation 17. The Player had no objection to the composition or constitution of the Panel.

Charge and Plea

2. The Player was charged with stamping contrary to Law 10(4)(b), in that on 6th February 2011 he stamped on an opponent during (10th minute of the second half) of the match Harlequins v Cardiff Blues. He accepted that an offence of foul play took place but disputed that it merited a red card.

The Facts

3. The Panel read the RFU Citing Report dated 9 February 2011 and signed electronically by the Citing Officer, Mr John Byett. The report describes an incident in the following terms: "Cardiff were attacking the Harlequins line, there was a half break by a Cardiff player and he was tackled just short of the line a ruck ensued and the Harlequins No.9 Karl Dickson was on the ground on the wrong side of

the ruck on the ground. The Cardiff No.4, Griffiths came running into the ruck and jumped into the air and came down and landed himself and his left boot onto the right side of Dickson. The Referee David Rose blew his whistle and called the Cardiff No.4 over. He already had his arm out for a penalty to Cardiff for an offence at the ruck. He said to the No.4 on the TV feed, "Be careful where you put your feet in future especially when you have a penalty". The game continued with a scrum to Cardiff from the penalty. Dickson played on.

I reviewed the incident a number of times and the strength of the downward boot of Griffiths on Dickson on the ground. I considered the player Griffiths was not trying to ruck the player but was stamping or trampling on Dickson. As a result I have decided to cite the No.4, Griffiths of Cardiff, under Law 10.4(b) Stamping or Trampling."

4. The Panel then viewed the DVD recording of the incident at normal and slow speeds. The incident takes place in the Harlequins 22 with Cardiff Blues attacking. A Cardiff Blues player is tackled and a ruck forms involving a number of players from both sides. Most are off their feet, including the Harlequins No 9, Karl Dickson (KD) who goes to ground lying on his left side on the Cardiff Blue's side of the ruck sealing off the ball. The Player runs towards the ruck through the gate with his head up and springs forward, planting his left boot in a downwards motion on KD's right side in the area of the bottom of KD's rib cage and hip. The Player's right foot then goes down beyond KD. A Harlequins player then pushes the Player who falls onto other players in the ruck. KD gets to his feet after treatment and it is common ground that he played on.

The Defence Case

- 5. Mr Norster on behalf of the Player stated that the Player had seen the Harlequin's No.9 on the wrong side of the ruck and had entered the ruck intending to use his right foot to ruck the ball out. He suggested that the Player's body position had been wrong in that he was upright and this caused him carelessly to put his foot on KD as he entered the ruck. Mr Norster pointed out that the referee had spoken to the Player after the incident and had warned him to be careful where he placed his feet. The experienced referee had already indicated the award of a penalty to Cardiff Blues for the offence by KD and did not reverse the penalty. Mr Norster suggested that this showed that the referee did not consider the incident to be serious although he accepted the information provided by the Secretary that the referee's position is that he did not see the incident.
- 6. The Player gave evidence. This was his first season with Cardiff Blues. He accepted that his left foot had come into contact with KD and said that it was accidental. He had been focused on dislodging the ball with his right foot.

Finding

- 7. In the case of a citing it is the function of a Disciplinary Panel to review the case and determine on the balance of probabilities whether the Player concerned committed the act of foul play alleged by the Citing Officer in his report.
- 8. The Panel considered all documentary evidence and the evidence put forward at the hearing. The Panel found the video evidence to be particularly persuasive and were satisfied to the required standard that the Player deliberately stamped once on the body of KD using his left foot. The Panel found this to be the act of foul play as cited. Accordingly the Panel upheld the citing.

Mitigation

9. Mr Norster stated that the Player was on a one year contact with Cardiff Blues and is keen to make an impact. He had been playing at a senior level since the age of 21 and now 28 years of age had not received a red card or citing at any level. No action has been taken by Cardiff Blues in relation to this incident.

Sanction

- 10. The Panel considered the seriousness of the Player's conduct by reference to the factors set out in Regulation 17.35.6 of the IRB Regulations relating to the Game. The Panel found that the offending was deliberate, involved the use of the boot on the body of a player who was on the ground and in a vulnerable position. The Player used his full weight behind the stamp but fortunately no apparent injury was caused. The act of foul play was completed. The Panel also found that the single stamp was premeditated but accepted that there had been a degree of frustration on the part of the Player caused by the slowing down of possession for Cardiff Blues. The Panel concluded that after the initial player reaction immediately after the incident the offence had little effect on the game in that KD played on after brief treatment. Taking all the relevant factors into account we determined that the offending was in the Mid Range.
- 11. The entry point for a Mid Range offence of stamping on an opponent is 5 weeks' suspension. The Panel considered whether there were any aggravating factors and any mitigating factors as described in Regulation 17.35.7 and 8. The Panel concluded that there were no aggravating features. We gave the Player credit for his proper conduct at the hearing, his previous good record and character. We also gave him limited credit for his acceptance that an offence had been committed, notwithstanding the equivocal nature of that acceptance. On the basis of the mitigating features the Panel determined that the period of suspension should be reduced by two weeks to three weeks. **Accordingly we**

determined that Bryn Griffiths should be suspended from playing rugby union for three weeks from the date of the hearing. The Player will be able to play again on 9 March 2011.

12. The Player's attention was drawn to his right to appeal against the sanction awarded.

<u>Costs</u>

13.An order for costs of £500 is made against the Player/Club

Rick Charles (Chairman)