## **RUGBY FOOTBALL UNION**

## **DISCIPLINARY HEARING**

At: Holiday Inn, Filton, Bristol

On: Tuesday 11 January 2011

## **JUDGMENT**

Player: Apolosi Satala

Club: Taunton RFC

Match: Taunton RFC v Dings Crusaders RFC

Venue: Taunton

Date of Match: 11 December 2010

Panel: Rick Charles (Chairman), John Doubleday and Nigel Gillingham

Secretary: Liam McTiernan

**Attending:** The Player.

Lee Waddon (Director of Rugby Taunton RFC)

Andy Allen (Director of Rugby Army)

Bryan Redpath (Gloucester RFC) – by telephone.

## Charge and Plea

1. The Player was charged with striking contrary to Law 10(4)(a), in that he struck an opponent during (26<sup>th</sup> minute of the first half) of the match Taunton v Dings Crusaders. He admitted the offence.

#### The Facts

2. The Panel read the RFU Discipline Report dated 11 December 2010 and signed by the Referee, Mr Shane Lewis. The report describes an incident 26 minutes into the game during the first half and states as follows:

Dings 7 (D7), having been struck by Taunton 6 (T6) remained on the ground following the incident requiring physio treatment. D7 left the field under blood injury regulations.

<sup>&</sup>quot;Local derby game. Keenly contested at the breakdown from the start. Taunton scored the first try which was matched by Dings. Either side sharing penalties until the incident.

Play was 10m from the Taunton try line. A tackle occurred and the ball emerged. Two meters from the tackle area, towards the Taunton goal line, I saw a Dings player on the floor lying on his back with the Taunton 6 stood above him. The T6 raised his arm with a clenched fist and struck the D7 in the mouth area. Following T6 action other players then joined the situation and several seconds of pushing and pulling of players from both sides continued. When the sides had separated I called over both AR's. I explained to each AR what I had seen. AR1 GW confirmed that he was unsighted and was unable to comment, following my description of the above events AR2 MD confirmed that my description of events was correct. I then asked each of the AR's if they had seen anything to instigate the T6 action. To which they replied no.

Following my discussion with AR 1&2 I called over the Taunton captain No:8 and T6. I explained that the action of striking an opponent in that manner was not to be tolerated and thereby issued a red card to Taunton 6."

3. The Panel then viewed the DVD recording of the incident at normal speed and frame by frame. The Player tackles an opposition player who goes to ground. The Player bends over the tackled Player to take the ball but is cleared out on the arrival of the opposition forwards who pick up the ball and drive a few feet towards the Taunton try line before going to ground. The Player rejoins the maul to contest possession but is driven back by the Dings Crusaders No.7. Both Players go to ground on the far side of the ruck from the camera. The Player can be seen to get up but is initially prevented from moving away. The Player then turns towards the ruck looking down, but at that stage the camera moves away from the incident and the blow cannot be seen.

# **Mitigation**

- 4. The Player stated that he regretted the incident. He explained that at a ruck earlier in the game he had been held by the neck by the Dings Crusaders (DC) No.7. He did not consider this to be right and told the DC No.7 to stop it. At the later ruck he was contesting the ball when the DC No.7 got hold of his head. The DC No.7 rolled to his right and pulled the Player on top of him, holding him there. The Player stated that he was then punched above the left eye. He sustained a small cut over his left eye that he can be seen wiping as he is sent off. He retaliated and punched the DC No.7 once in the face. The Player explained that he is not a violent type of player and has not been in trouble before. He had apologised to the DC No.7 after the game. The Player stated that he had started playing rugby at the age of 7 years. He is now 35 and has represented Fiji on 6 occasions. He joined the British Army in 2002 and has played for the Army since doing so and has also played at Premiership level for 3 seasons (2 at Gloucester, 1 at Leeds) as well as playing for Edinburgh for a season. The Player stated that he has not been in trouble before.
- 5. Mr Waddon stated that since joining Taunton RFC the Player has shown himself to be a focused and model rugby player. Mr Waddon suggested that there had been a significant degree of provocation on the part of the DC No.7 and asked that the Panel take a lenient view of the

incident.

- 6. Mr Allen stated that the Player has regularly represented the Army on both the 15 and 7s circuits and has a reputation as a genial person, often leading the players in prayer. He added that the Player to his knowledge has never crossed the line before. He indicated that the Player is likely to be interviewed by his Commanding Officer in relation to the incident.
- 7. Mr Redpath contributed by telephone and described Apolosi Satala as an outstanding rugby player who had shown total commitment when playing for Gloucester RFC, for whom he had played 28 games, often when playing for the Army in mid week games. The Player had been not been a problem either on or off the field and did not have a disciplinary record when at Gloucester. Mr Redpath stated that he had a very high regard for the Player.

## Sanction

- 6. The Panel considered the seriousness of the Player's conduct by reference to the factors set out in Regulation 8.2.5 of the RFU Disciplinary Regulations, including that the offending was deliberate, involved the use of the fist on a vulnerable player causing a minor injury and was completed. The Panel accepted that the single blow was not premeditated and that there had been a degree of provocation. The Panel concluded that the offence had little effect on the game in that the DC No.7 played on after treatment. Taking all the relevant factors into account we determined that the offending was at the Lower End.
- 7. The entry point for a Lower End offence of striking an opponent is 2 weeks' suspension. We considered whether there were any aggravating features and any mitigating factors. We gave the Player credit for his plea of guilty, his previous good record and character as evidenced by his character witnesses who hold him in high regard and his genuine remorse and contrition. We concluded that no aggravating features were present. Accordingly we determined that Apolosi Satala is suspended from playing rugby for one week and will be able to play again on 19 January 2011.
- 8. The Player's attention was drawn to his right to appeal against sanction.

### **Costs**

7. An order for costs of £200 is made against the Player/Club

Rick Charles (Chairman)