

## **RUGBY FOOTBALL UNION**

### **DISCIPLINARY HEARING**

**At:** Filton Holiday Inn, Bristol  
**On:** Wednesday 22<sup>nd</sup> March 2011

### **JUDGMENT**

**Player:** Anthony Wicks  
**Club:** Lydney RFC  
**Match:** Old Albanian RFC v Lydney RFC  
**Venue:** Woollams Playing Fields, St Albans  
**Match Date:** 12 February 2011  
**Panel:** Rick Charles (Chairman), John Doubleday and Mike Curling.  
**Secretary:** Liam McTiernan  
**Attending:** The Player  
Colin Henderson - Team Manager, Lydney RFC

### **Preliminary**

1. 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 12<sup>th</sup> February 2011 he stamped on an opponent during (5th minute of the second half) of the match Old Albanians v Lydney. The Player admitted the charge.

### **The Facts**

3. The Panel read the Citing Club's report, dated 15 February 2011, and signed by James Shanahan, the Head Coach of Old Albanian RFC. The report describes the incident in the following terms.

The DVD of the match is included along with this letter. The offence occurred in the 2<sup>nd</sup> Half at 45 minutes and 25 seconds, one minute into the match (a loop of the clip is included on the DVD).

The offence took place on Lydney's side of halfway and approx 20m from touch on the near side of the pitch from the main clubhouse. The score at the time of the match was 31-13 to Old Albanian RFC.

The incident took place following Lloyd Bickle (Old Albanian RFC) wearing the number 4 shirt aided in a tackle of a Lydney player. Lloyd was then on the wrong side of the breakdown. Anthony Wicks then stamped twice upon Lloyd Bickle's neck/shoulder and face (statement attached). This was witnessed by Tom Gillings (Old Albanian No 5, statement attached).

Unfortunately this wasn't witness by the official on the day and no action was taken except a penalty against Lloyd Bickle for not rolling away! I think this is a very serious incident and believe Anthony Wicks had the intent to injure my player. We have seen lately Welsh player Gavin Quinnell lose the sight of his eye due to a stamp to the face. Luckily for Lloyd no serious injury was sustained.

The Panel then read the statement of Lloyd Bickle, the Old Albanian No.4, dated 15th February 2011 in which he describes the incident as follows:-

I was help make a tackle on the Lydney number 9 with 2 other Old Albanian players. Once the number 9 has gone to the ground i attempted to counter ruck where upon i found myself on the wrong side of the breakdown. I tried to roll away and was stamped upon twice by a Lydney player on the shoulder/neck area and to the face. At the time of the incident I did not know who had committed the offence but after inspecting the DVD footage i can confirm it was Anthony Wicks, Lydney's number 15. I was luckily unharmed but was very unhappy that this wasn't picked up by the match officials at the time. Also with the recent incidents of players losing their sight for being stamped upon the face I feel lucky not to have gained a serious injury.

The Panel also read the undated statement of Tom Gillings of Old Albanian RFC who confirms the account of Lloyd Bickle.

4. The Panel then viewed the DVD recording of the incident at normal and slow speeds. The recording shows Lloyd Bickle lying on his right side on the Lydney side of the ruck with his head towards the Lydney side. He is wearing a scrum cap and appears to be slowing down the release of the ball. The Player arrives at the ruck and raises his right leg. He then stamps down with a directly downward motion on the neck/side of the head of Lloyd Bickle using his full weight. He quickly pushes his right foot down again and then moves away to pick up the ball as the referee indicates the award of a penalty to Lydney.

### Finding

5. 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 Club.

6. 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 twice making contact on the neck and side of the head of an opponent using his right boot. The Panel noted that the referee did not see the incident. The Panel upheld the citing.

#### Mitigation

7. The Player explained that he had been frustrated as Lydney had been getting slow ball throughout the game. In a moment of madness he had stamped on the Old Albanian player but there had been no intention to hurt him. He was wearing boots with moulded soles (not separate studs) and did not cause an injury. He apologised for his actions. The Player accepted that on 15 October 2007 he had been suspended from playing rugby for a period of 12 weeks by an RFU Disciplinary Panel following a red card for an offence of stamping. This had been his only sanction and he has been playing rugby for 13 years, mainly with Lydney RFC.
8. Mr Henderson explained that the Player had been banned from playing by Lydney RFC following the match on 19 March 2011, but not before. He described the Player as a nice lad who is not vicious or violent. He regarded the incident as out of character and that it occurred out of frustration. He confirmed that Lydney RFC's league season ends on 31 April 2011.

#### Sanction

9. The Panel considered the seriousness of the Player's conduct by reference to the factors set out in RFU Regulation 19.8.2.5. The Panel found that the offending was deliberate, involved the use of the boot on the neck and face of a player who was on the ground and in a vulnerable position. No apparent injury was sustained by the victim player. The act of foul play was completed. The Panel also found that the act was premeditated and concluded that the offence had no effect on the game. Taking all the relevant factors into account we determined that the offending was in the Mid Range.
10. 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 19.8.2.7 and 8 respectively. The Panel concluded that there had been no real expression of contrition or remorse by the Player and that his previous conviction for an offence of stamping should be taken into account. These were both aggravating factors meriting an additional period of suspension of 2 weeks. The Panel regarded the early acceptance of guilt by the Player and his conduct at the hearing merited a reduction of 2 weeks, effectively cancelling out the additional period of suspension. **Accordingly we determined that Anthony Wicks should be suspended from playing**

**rugby union for five weeks from the date of the hearing. The Player will be able to play again on 28 April 2011.**

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

Costs

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

**Signed:** Rick Charles (Chairman)

**Date:** 24<sup>th</sup> March 2011