

RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

At : Holiday Inn, Brighouse, West Yorkshire

On : Monday, 20th September 2010

Judgment

Player: GRANT FERGUSON **Club:** Fylde RFC

Match: Hull Ionians v Fylde

Venue: Brantingham Park

Date of Match: 4th September 2010

Panel: Antony Davies (Chairman), David MacInnes and Peter Rhodes (“the Panel”)

Secretary: Liam McTiernan (RFU Disciplinary Department)

Attending: Grant Ferguson (“the Player”)
John Greenwood (first team Manager Fylde RFC)

**Attending as
Observer :** Tony Simpson (RFU Communications Manager North)

Decision

1. The Panel found the Player guilty of the offence of striking an opponent and determined that the Player should be suspended for a period of one week from 13th September to 20th September 2010 inclusive.

Preliminaries

2. There was no objection to the composition of the Panel, nor other preliminary matter.

3. The Panel convened to consider a charge alleging that the Player had been guilty of

striking an opponent with his fist during the 40th minute of the first half of the above match, contrary to Law 10(4)(a). He had been dismissed from the field of play (red card) by the Match Referee, Brendan Fitzmaurice.

4. The Player pleaded guilty to the charge.

The Facts

5. The sending off report recorded as follows :

“The Player, Mr. Ferguson, had been tackled short of the Ionians’ 22 area. Play had advanced away from the tackle some 10 metres. I glanced back to the tackle area and saw Mr. Ferguson, whilst rising to his feet, punch the Ionians number 10 in the face. The said action then resulted in a general fracas involving numerous players from either side. Mr. Ferguson was cautioned for his action and was duly shown a red card. Post match Mr. Ferguson was extremely apologetic for his actions and realised they had been detrimental to his performance, his team’s performance, the opposition and the game in general”.

The Player’s Case

6. The Player accepted the written report of the Match Official, but maintained it did not give the entire picture. He had tackled the opposition 10. As they were going to ground, the opponent punched him once in the face. He retaliated by punching the opponent once in the face, but only his retaliation was seen by the Referee. Another opponent ran some distance to punch him in the face and a melée developed. He was on the ground during the melée, protecting his head from further punches from the opponent who had not initially been involved. This was an isolated incident in an otherwise clean game. It was resolved quickly by the Match Referee by sending off the Player and the opponent. There had been no injury to the Player or the opponent (Ionians 10) who were involved initially.

7. The Player has played for Fylde for twenty two years and has an exemplary record. He apologised for his actions, which were out of character and inconsistent with his job as a Teacher. He had apologised to the Referee. His Club had held an internal disciplinary

hearing. He had been suspended for one week and had missed the League game on Saturday, 18th September 2010, as a result.

Entry Point

8. The Panel noted that this was a punch to the head of an opponent but that it was provoked and the Player acted in retaliation. There was no injury. The offending Player's action did not directly affect the game. The fracas which ensued was caused by another Hull Ionians player running some distance to start punching the Player. The victim player was not vulnerable in that he had thrown the first punch and there was no discernible injury. In those circumstances, the Panel characterised the offending as at the lower end of the scale of seriousness.

Sanction

9. The lower end entry point for striking is two weeks' suspension. There are no aggravating features in this case and the Player is entitled to a 50% reduction to reflect the presence and timing of culpability, his conduct prior to and at the hearing and his remorse, particularly his previous exemplary record.

10. The Player is suspended for one week from 13th September 2010 (the date of the Club's suspension) to 20th September 2010. He may play again on 21st September 2010.

Costs

11. Costs of £200.00 are ordered to be paid by the Player/his Club.

Right of Appeal

12. The Player was advised of his right of appeal as set out in Disciplinary Regulation 19.10.

Antony Davies

Antony Davies,

Chairman

23rd September 2010