

**RUGBY FOOTBALL UNION**

**DISCIPLINARY HEARING**

**At:** Royal County Marriott, Durham.

**On:** Tuesday 2<sup>nd</sup> November 2010.

**JUDGMENT**

**Player:** Jorge Segurado

**Club:** Luctonians RFC

**Match:** Preston Grasshoppers -v- Luctonians

**Venue:** Lightfoot Green, Preston.

**Match Date:** Saturday, 23<sup>rd</sup> October 2010

**Panel:** Antony Davies (Chairman), Robin Wannop & Derek Morgan.

**Secretary:** Liam McTiernan (RFU Discipline Department)

**Considering:** The sending off of Jorge Segurado, Luctonians RFC, during the (40<sup>th</sup> minute of the first half) match Preston Grasshoppers -v- Luctonians, for an act of striking, contrary to Law 10(4)(a).

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**Plea**

The Player and his club were happy to have the case heard in their absence, on a 'papers-only' basis, having indicated their intent to plead guilty in advance of the hearing.<sup>1</sup>

**Evidence as to Fact**

The Panel considered:

- a) The sending off report completed by the Referee, Revis Phillips.
- b) The Luctonians RFC response, provided by Simon Green-Price, Luctonians Disciplinary Committee Chairman.

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<sup>1</sup> Agreed with the RFU Discipline Department as per RFU Regulation 19.4.1.2.

## The Referee's Report

The Referees report recorded as follows: *"A scrum had been awarded just outside the Preston Grasshoppers 22m line and on the 5m line, at the point of the engagement call I was standing on the side opposite to the scrum half's and within one metre of the player dismissed from the field and his opposite number from Preston Grasshoppers.*

*"As I invited the teams to engage, the player dismissed from the field of play failed to offer a binding to his opposition and subsequently ended up with his head underneath his opposition, but this action of failing to bind resulted in the scrum collapsing. I blew immediately for a penalty to Preston Grasshoppers.*

*"I maintained eye contact throughout in case of any subsequent injuries to any player, particularly in the front rows, when I observed the player dismissed start to get up from the floor leaving his opposition player now below him. As he began to withdraw from the entanglement, using his bodily force he moved forward with pace and struck his opposition player with his forehead. This action made contact with the area just above the forehead of the opposition player. I blew again and the player dismissed got to his feet leaving his opposition player face down on the ground.*

*"He was ordered immediately from the playing field (he had begun to walk off before I had produced the red card). The injured player received minor treatment to his head in the means of cold compression, but continued with the rest of the game. He had no visible injury and did not require any treatment off the playing field as far as I am aware, although we did retire for half-time just after the incident."*

## The Luctonians RFC Response

Luctonians RFC accepted the Referee's report and immediately banned the Player for two weeks, from 24<sup>th</sup> October to 7<sup>th</sup> November 2010, pursuant to the relevant RFU Regulations, at the Luctonians Disciplinary Committee meeting on 25<sup>th</sup> October 2010. Absent from this meeting was the Player, who has since de-registered with Luctonians, with effect from 25<sup>th</sup> October 2010, and returned to Portugal.

## Entry Point

The Panel conducted an assessment of the seriousness of the incident.<sup>2</sup> The features of the offending were considered and the following conclusions drawn:

- a) The offending was intentional;<sup>3</sup>
- b) The strike was committed with the head;<sup>4</sup>
- c) There was no provocation;<sup>5</sup>
- d) There was minimal effect on the victim;<sup>6</sup>

<sup>2</sup> As required by RFU Regulation 19.8.2.4.

<sup>3</sup> As per RFU Regulation 19.8.2.5(a).

<sup>4</sup> As per RFU Regulation 19.8.2.5(c)(i).

<sup>5</sup> As per RFU Regulation 19.8.2.5(c)(ii).

- e) The offence did not lead to a breakdown of order or discipline on the field, thus having no material effect on the game, save to the detriment of the Player's own side;<sup>7</sup>
- f) The victim player was vulnerable, insofar as he was on the ground, face down, and in no position to see what was happening or make any attempt to defend himself;<sup>8</sup>
- g) The Player was the sole offender in this sequence – the effects of the offence on the victim player are solely attributable to him;<sup>9</sup>
- h) The conduct was completed.<sup>10</sup>

Following this assessment, the Panel formed the view that the offence should properly be categorised as being at the mid-range of the sanctioning tariff. This equates to a suspension from playing rugby union for a period of 8 weeks.

### Aggravating Features

The Panel considered whether there were any aggravating features of the offence<sup>11</sup>, and concluded that there were none.

### Mitigating Features

The Panel considered whether any mitigating features should apply to the offence<sup>12</sup>, and found as follows:

- a) The Player pleaded guilty at his earliest convenience, which allowed his club to deal with the matter promptly;<sup>13</sup>
- b) He had a good record;<sup>14</sup>

Following this assessment, the Panel concluded that the maximum discount of 50% should apply, that being equal to a discount of 4 weeks from the entry point sanction.

### Sanction.

The Player is therefore suspended from playing rugby union for a period of 4 weeks, from 24<sup>th</sup> October to 21<sup>st</sup> November 2010, and is accordingly free to play again on 22<sup>nd</sup> November 2010.

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<sup>6</sup> As per RFU Regulation 19.8.2.5(d).

<sup>7</sup> As per RFU Regulation 19.8.2.5(e).

<sup>8</sup> As per RFU Regulation 19.8.2.5(f).

<sup>9</sup> As per RFU Regulation 19.8.2.5(g).

<sup>10</sup> As per RFU Regulation 19.8.2.5(h).

<sup>11</sup> As required by RFU Regulation 19.8.2.7.

<sup>12</sup> As required by RFU Regulation 19.8.2.8.

<sup>13</sup> As per RFU Regulation 19.8.2.8(a).

<sup>14</sup> As per by RFU Regulation 19.8.2.8(b).

### Costs

The Panel makes an award of costs<sup>15</sup> against the Player/Club in the sum of £80<sup>16</sup>.

### Right of Appeal

The Player/Club has a right of appeal against this decision as set out in RFU Regulations.<sup>17</sup>

**Signed:** Antony Davies, Chairman.

**Date:** 10 November 2010.

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<sup>15</sup> As per RFU Regulation 19.8.3.1.

<sup>16</sup> As per RFU Regulation 19, Appendix 3.

<sup>17</sup> As per RFU Regulation 19.10.1.4.