RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

Venue: Holiday Inn, Bloomsbury, London.

Date: 6th January 2011

JUDGMENT

Player: Darren Fox

Club: Cambridge RFC

Match: Cambridge RFC v Stourbridge RFC

Match Venue: Cambridge

Match date: 11th December 2010

Panel: Philip Evans (Chairman); Elizabeth Riley; Dr Julian Morris

Attending: Liam McTiernan - Secretary to Panel

Tim Naylor - Observing

Darren Fox

Bob Crooks (Cambridge RFC 1st XV Coach)

Charge

1. Kicking an Opponent, Contrary to Law 10(4)(c), the particulars being that on the 11th December 2010 he kicked an opponent during (24th minute of first half) the match Cambridge v Stourbridge.

<u>Plea</u>

2. The player admitted the charge.

The Facts

- 3. The panel considered the report of the assistant referee Mr Spooner and the video evidence supplied by Cambridge.
- 4. The assistant referee described the incident, as follows:

"Cambridge made a break down the narrow side approximately 10 metres in from the touch just inside the Stourbridge half. The Cambridge No 7 (Mr Fox) ran in front of the ball carrier and impeded a defender who reacted by taking hold of him and both started pushing and shoving."

- 5. This evidence of the assistant referee was confirmed by the video evidence. However, the video showed that, at this point, Mr Fox was thrown to the floor by a member of the opposition. This was not referred to in the assistant referee's report. It was Mr Fox's evidence to the panel that being thrown to the floor in this manner caused him to react in the manner he did.
- 6. The assistant referee's report continued;

"After a couple of seconds, they separated and the Stourbridge player began to move away. As he moved away the Cambridge No7 lashed out and deliberately kicked him in the legs at approximately knee height with enough force to knock him to the floor."

- 7. The assistant referee recommended a red card which was issued to Mr Fox. The Stourbridge player was uninjured and continued in the game.
- 8. These facts were further supported by the video evidence.
- 9. The panel assessed the seriousness of the incident to be 'lower end' for the following reasons. Although the kick was intentional rather than reckless, there was some provocation, (the player having been thrown to the floor immediately before) also the gravity of the player's actions, taking into account the nature and manner in which the offence was committed was low. The victim player was not injured and the incident had little or no effect on the game. The victim player was not in a vulnerable position at the time of the incident.
- 10. The panel therefore identified the appropriate starting point as 4 weeks.
- 11. No aggravating features were found.

Mitigation

- 12. The panel found the following mitigating features to be present.
 - i. The player admitted the offence;
 - ii. The player had an exceptional playing/disciplinary record over many years at a high level of rugby;

13. As well as this the panel heard from the player and Mr Crooks regarding the contribution Mr Fox makes to junior rugby at his club. Further, the player had suffered a very serious neck injury the previous year and this, he said, had contributed to his actions on the day.

14. For all these reasons the panel considered it appropriate to reduce the sanction by two weeks.

Sanction

15. The panel was told that Cambridge RFC had banned the player for a period of two weeks and that he had served that sanction in full (This disciplinary hearing had taken place on Wednesday 15th December). Consequently, the panel found that Mr Fox had completed his period of suspension and was free to play immediately.

Costs

16. The panel makes an award of £200 costs against the player/club.

Right of Appeal

17. The player is hereby advised of his right of appeal. Any such appeal must be lodged with the RFU Disciplinary Officer not later than the 14th day following receipt of this judgment.

Signed: Philip Evans (Chairman)

Date: 10th January 2011.