

RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

At : Holiday Inn, Brighouse, West Yorkshire

On : Monday, 20th September 2010

Judgment

Player: PETER ALTHAM **Club:** Fylde RFC

Match : Fylde v Preston Grasshoppers

Venue: Fylde

Date of Match: 11th September 2010

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

Secretary: Liam McTiernan (RFU Disciplinary Department)

Attending: Peter Altham (“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 an act contrary to good sportsmanship contrary to Law 10(4)(m), namely that on 11th September 2010 he received two yellow cards for foul play during (41st minute first half and 20th minute second half) the match Fylde v Preston Grasshoppers. The Panel determined that the sending off was sufficient.**

Preliminaries

2. There was no objection to the composition of the Panel.

3. The Player appealed against both yellow cards on the basis that no act of foul play took place (RFU Regulation 19 Appendix 1 para. 3).

The Facts

4. The caution reports recorded concisely that the yellow cards had been awarded for a punch by the Player on PG No. 15 and a dangerous tackle on PG No. 12.

The Player's Case

5. The Player maintained in relation to the punch that there had been no punch at all but accepted that he had pushed the opponent with his hand on the body when neither were involved in any contest for the ball. The ball was some distance away. The Panel viewed a DVD of the incident which appeared consistent with the Player's assertions. In a period of fast open play, PG No.15 and the Player are running towards each other. PG No.15 pushes a player in the head and the player pushes him away. There is no injury, no resultant fracas and the game continues. A yellow card is awarded against the Player. The Player maintained that a statement could be obtained from PG No.15 confirming that he was not punched and that he had no complaint to make. The Player accepted under questioning that he had pushed his opponent away and that this could amount to foul play.

6. So far as the allegedly dangerous tackle was concerned, the Player maintained that it was not a dangerous tackle but in fact a perfectly executed and well coached contact and was within the bounds of legality. The Player was guarding the side of a ruck. The ball is won by the opponents, who pass out to PG No.12 who is running towards the side of the ruck at pace. The DVD of the incident shows clearly the Player bending his upper body forward, arms outstretched, and setting himself to take the contact. He makes perfectly legitimate contact with the body of PG No. 12, but then having got a grip of him starts to drive him backwards. He is coached to lift the leg of the opponent when driving backwards to make that task easier. Unfortunately, because of the upright body position of the opponent and the speed of contact, the opponent's centre of gravity is higher than the Player anticipated and so is lifted off the ground. He falls to ground with his arms outstretched. His arms make contact with the ground first. The Player does not drop the opponent – he is in contact with him at all times – nor does he drive him to ground.

7. There is no injury. The opponent gets up and plays on without treatment. One PG player takes exception to the tackle and pushes the Player away but no punches are thrown. The Player receives the yellow card.

Finding

8. The Panel disagreed with the Player's assertions that this was a legitimate tackle. It was clumsy and reckless. The Player took the decision, having a good grip of the opponent, to drive him backwards and, in so doing, to lift him off the ground. The responsibility then falls on the Player to ensure the opponent's safe return to ground and not in the manner depicted in the DVD viewed by the Panel. Accordingly, the Panel concludes that the dangerous tackle was foul play and is the more serious of the two yellow cards awarded.

Entry Point

9. This offence was not deliberate. The Player made an initial textbook contact with an opponent running at him at considerable speed. He attempted a legitimate tackle but, due to the centre of gravity of the opponent being higher than he anticipated, his action in driving the player backwards caused him to be lifted off the ground and therefore not in control of how he returned to ground. The offence was not serious. It was reckless and clumsy. The opponent was not injured and played on without treatment. The Panel categorise the offending as at the lower end of the scale of seriousness.

Sanction

10. RFU Disciplinary Regulation 19 Appendix 2 stipulates the lower end entry point as sending off sufficient and the Panel so determines.

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