

## RUGBY FOOTBALL UNION

### DISCIPLINARY HEARING

**At:** Holiday Inn, Taunton

**On:** Monday 18 April 2011

### JUDGMENT

**Player:** Tom Rawlings

**Club:** Launceston RFC

**Match:** Launceston RFC v Blaydon RFC

**Venue:** Polson Bridge, Launceston

**Match Date:** 26 March 2011

**Panel:** Rick Charles (Chairman), Mike Curling & John Doubleday

**Secretary:** Liam McTiernan & Rebecca Morgan

**Attending:** The Player  
Simon Owens (Director of Rugby, Launceston RFC)  
Tom Rock (Director of Rugby, Blaydon RFC) (by telephone link)

### Preliminary

1. The Player had no objection to the composition or constitution of the Panel.

### Citing and Plea

2. The Player was cited with stamping, contrary to Law 10(4)(b), in that on 26<sup>th</sup> March 2011 he stamped on an opponent during (17th minute of the first half) the match Launceston v Blaydon. The Player denied the charge.

### The Citing Report

3. The Panel read the Citing Club's report, dated 1 April 2011 and signed by Tom Rock, Director of Rugby, Blaydon RFC. The report describes the allegation in the following terms: *"Blaydon RFC wish to cite Tom Rawlings of Launceston RFC for an incident which occurred in our game last weekend, Saturday the 26th March, at Polson Bridge,*

*Launceston. The player received a yellow card for a stamp which is seen clearly on the match footage approximately 18 minutes into the game (18.05 on my DVD copy which was supplied by Launceston). I believe the score at the time was 5-0 to Launceston and the incident occurred on the Launceston 22m line, 15 metres in from the touchline. The stamp is clearly seen to be on the head of our number 6, Jason Smithson."*

#### The Citing Club's Case

4. Mr Rock drew the attention of the Panel to the undated statement by Jason Smithson reproduced below: "*The incident in question happened around halfway through the first half of our match at Launceston on the 26<sup>th</sup> March 2011, in which I was wearing red shirt number 6. Following a kick downfield by us, we were defending in the opposition half, around their 22m line on the right hand side of the field. Probably one or two phases after they had received the ball from our kick, I found myself stood on the left hand side of the ruck in the 'guard' position. In the next phase their 9 passed to a short runner, who I tackled back in the direction of the ruck, falling on the opposition side of the ball, and was subsequently trapped in the ruck, I was looking at the referee who was directly in front of me telling him I could not roll away, I was not attempting to play the ball and attempted to make this obvious by lifting my hands in the air. As their support players attempted to clear the breakdown I felt an initial stamp on my shoulder from, I believe, their second row. At this point I raised my head and looked again at the referee continuing to tell him that I could not roll away.*

*At this point I felt a heavy blow to the left hand side of my head, which was clearly a stamp, I did not know at that time which player was responsible for the stamp. I was aware of a couple of my players running in, having seen the incident, and could clearly hear the referee blowing his whistle. I do not know whether the referee blew having seen the stamp and the players then ran in, or whether the referee blew as a result of the Blaydon players' intervention.*

*The Launceston number 7 and captain was shown a Yellow Card for the incident. Having played rugby for a long-time, at a good level, in the back row, I do not consider myself naïve as to what some may term the 'dark arts' and consider myself a physical and abrasive player. However I have always been taught that using your feet on the head of a player is one of the worst offences you can commit on a rugby field, that it is dangerous, and can result in very serious injury. I feel very lucky that on this occasion I only suffered minor grazes and bruising along with a 'fuzzy' head for a few days afterwards, I believe this was in part due the protection offered to me by my headguard, and also that I looked to the referee as a result of the previous stamp, as if I had been looking upwards at the time, the outcome could have been far worse."*

5. The Panel was then invited to view a video clip of the incident that showed a ruck with Launceston in possession on their 22 metre line. The ball is taken forward by a Launceston player who is immediately driven back by a Blaydon player, both going to ground towards the Launceston side of the ruck. The Blaydon player is lying on his side with his head at the Launceston side of the ruck and is wearing a red scrum cap. The Player enters the ruck from the Launceston side and looking down stamps directly down twice with his right foot on the Blaydon Player in the red scrum cap. The first stamp is on the upper body. The second stamp makes direct contact with the Blaydon Player's head which moves downwards due to the impact. There is an immediate reaction from other Blaydon players but the situation is quickly defused by the referee.
6. At this stage the Panel viewed the report of the referee, Mr M J Carley who was not available to speak to the Panel. His brief report reads as follows:

Tom Rawlings entered a ruck on the Launceston 22m line towards the far side of the field. As he entered he trampled a Blaydon players body away from the ball. I issued him with a yellow card.
7. Mr Rock suggested that the Referee had been wrong to order the Player to the sin bin for the act of stamping on an opponent's head and that he should have been sent off.

### The Defence Case

8. Tom Rawlings gave evidence. He was Captain of Launceston. He described 3 rucks taking place in quick succession. He entered the third ruck through the gate and saw a red jersey on the ball on the wrong side of the ruck. He could not see the ball. He intended to ruck the Blaydon player in the red jersey off the ball. He thought he was using his boot on the Blaydon player's back. The Blaydon player was wearing a red scrum cap. He did not hear the referee call that the Blaydon player was trapped in the ruck. The Player stated that he knew that he had caught the Blaydon player on the head with his boot but he did not mean to do so. He had no intention of making contact there. He suggested that the referee was in a perfect position to see what happened and gave him a yellow card.
9. Mr Owens pointed out that the Blaydon player's scrum cap was the same colour as his shirt and that the contact between the Player's boot and the head of the Blaydon player was not intentional. He suggested that the referee was in a perfect position to make a decision which was to award a yellow card for stamping. He submitted that the citing should not be upheld.

### Finding

10. 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. Where, as in this case, a Match Official has detected the alleged act of foul play but has taken action other than sending off, the citing Club must prove on the balance of probabilities that the decision was wrong.
11. The Panel considered all the evidence put forward at the hearing. Law 16 of the Laws of the Game of Rugby Union makes it clear that *a Player rucking for the ball must not intentionally ruck players on the ground. A player rucking for the ball must try to step over players on the ground and must not intentionally step on them. A player rucking must do so near the ball.* The Panel noted that the Player accepted that his boot had come into contact with the Blaydon Player's head. The Panel accepted the evidence of Jason Smithson in his written statement that was consistent with the video evidence which showed a clear stamp to his head. Accordingly, the Panel was satisfied to the required standard that the Player stamped on the head of Jason Smithson. The Panel found that that the alleged act of foul play had occurred. The Panel noted that the referee had described the Player trampling a Blaydon player's body away from the ball. The Panel had the benefit of video evidence not available to the referee and concluded that the referee may not have seen the contact with the head, for which a red card was the correct sanction. Accordingly, the Panel were satisfied to the required standard that the referee was wrong to award a yellow card.

### Mitigation

12. Mr Owens described the Player as a responsible member of Launceston RFC who has been playing rugby for 13 years. He is an abrasive but not a dirty player. Mr Owens suggested that the act was not intentional. The Blaydon player suffered no injury and was not substituted during the game. The Player does not have a disciplinary record of any kind. The Player stated that he has responsibilities at the Club including coaching and teaching. These activities require him to set a good example. He repeated that his conduct was not intentional and asked the Panel to be as lenient as possible.

### Sanction

13. 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 that the offending was deliberate and involved stamping on the head of an opponent. The Blaydon player was lying at the rear of

the ruck on the Launceston side and was in a vulnerable position. The victim player sustained no injury. The act of foul play was completed. The Panel found that the act was premeditated, but also concluded that it had no effect on the game other than the immediate short term reaction of other players in the vicinity of it. Taking all the relevant factors into account the Panel determined that the offending was in the Mid Range.

14. 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 this was an aggravating feature to justify an increase in the period of suspension of 1 week. The Panel concluded that the Player's previous good record and character together with his conduct at the hearing were mitigating factors that should lead to a reduction in the period of suspension of 2 weeks. Taking these factors into account the Panel therefore determined that appropriate sanction was suspension from playing for 4 weeks. **Accordingly, we determined that Tom Rawlings should be suspended from playing rugby union for 4 weeks from the date of the hearing until 16 May 2011. The Player will be able to play again on 17 May 2011.**

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

#### Costs

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

**Signed:** Rick Charles, Chairman

**Date:** 25<sup>th</sup> April 2011