#### **RUGBY FOOTBALL UNION**

# **DISCIPLINARY HEARING**

**At:** Holiday Inn, Brighouse, West Yorkshire

On: Monday, 20<sup>th</sup> September 2010

## **Judgment**

Player: JOSEPH SANDERS Club: Hull Ionians RFC

**Match:** Hull Ionians v Fylde

**Venue:** Brantingham Park

**Date of Match:** 4<sup>th</sup> September 2010

**Panel:** Antony Davies (Chairman), David MacInnes and Peter Rhodes ("the

Panel")

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

**Attending:** Joseph Sanders ("the Player")

Stephen Townend (Director of Rugby, Hull Ionians RUFC)

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 three weeks from  $9^{th}$  September 2010 to  $30^{th}$  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  $40^{th}$  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:

"A Fylde player had been tackled short of the Ionians 22 metre area. Play had advanced away from the tackle area some 10 metres. I glanced back to the tackle area and saw the tackled Fylde player whilst rising to his feet punch the Ionians 10 in his face. This action then resulted in a general fracas involving numerous players from either side. One such player was Mr. Sanders.

After consulting with my Assistant Referee, Mr. Peter Brudenell, we both had observed Mr. Sanders run from a distance to become involved and throw several punches at opposition players. His action merely served to inflame the situation. Mr. Sanders was cautioned for his action and was duly shown a red card. Post match Mr. Sanders was extremely apologetic for his actions and realised that they had been detrimental to his performance, his team's performance, the opposition and the game in general. Up to this incident, Mr. Sanders had played in an exemplary manner".

#### The Player's Case

6. The Player did not disagree with the Referee's report of the incident. He had seen a Fylde player on his side's number 10. He was closest to the incident. He had seen the punch thrown by the Fylde player. He had only recently arrived at Hull Ionians over the summer, having played for a much lower junior Club. He wanted to make it clear that he was prepared to stand up for his team mates who were being subjected to foul play. He accepted he had taken the wrong option but had wanted to protect one of his players. He appreciated now that he should have dragged the Fylde player away and not punched him. He described the incident as one of "handbags" and not serious. He had spoken with the

Referee afterwards to apologise. The Player is only a recent recruit to Rugby Union, having played much Rugby League. He is in his third season of Rugby Union. He has an exemplary record in both codes.

- 7. Under questioning from the Panel, the Player accepted that he had run into a situation in which he was not initially involved. That action prompted a fracas involving numerous players on either side. He accepted he had thrown two or three punches at the Fylde player. The game had been otherwise clean, with no incidents prior to or after this.
- 8. On the Player's behalf, Mr. Townend confirmed that the Player had fitted in well since joining the Club and that this incident appeared to be out of character for him. The Club did not condone this sort of behaviour and had held its own disciplinary hearing on 9<sup>th</sup> September 2010, when the Player had accepted his culpability and been suspended from playing for two weeks, being the games on 11<sup>th</sup> and 18<sup>th</sup> September 2010. Mr. Townend asked the Panel to consider the Player's actions as ones of retaliation to clear foul play perpetrated on one of his team mates.

#### **Entry Point**

9. None of the players involved in the fracas appear to have been injured or required any medical attention. This appeared to be the only incident of foul play during an otherwise clean game. There was some provocation to the extent that the Player was reacting to seeing one of his team mates punched in the face. Those elements may well have resulted in the Panel finding the offending capable of being characterised as low end. However, there was a clear distinction in terms of both time and physical distance between the Player seeing the foul play and running a distance to become involved and throw several punches. The Player accepted, with the benefit of hindsight, that he should have dragged the opponent off his team mate, but instead chose to punch him on two or three occasions. This resulted in a general fracas involving numerous players from either side – an ugly and unnecessary incident in an otherwise clean game. The Referee was clear that the Player's action inflamed the situation and in the Panel's view it is often the case that there is a significant risk of injuries being sustained where numerous players become involved in a brawl with many punches being thrown. The violence escalates and results

in a spectacle which mars the game. The Player had time to make a choice and elected to use violence to impress his new team mates and that action resulted in a serious breakdown of order on the field of play. In those circumstances, the Panel takes the view that the offending should properly be characterised as in the mid-range giving an entry point of five weeks' suspension.

### **Sanction**

- 10. 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 at the hearing, his clear remorse and his exemplary record hitherto. Unfortunately, as the mid-range entry point is an odd number of weeks and the Panel does not find exceptional circumstances pursuant to the provisions of 19.8.2.9, the appropriate period of suspension is one of three weeks.
- 11. The Player is accordingly suspended for three weeks from 9<sup>th</sup> September 2010 (the date his Club's internal suspension commenced) to 30<sup>th</sup> September 2010 inclusive. He may play again on 1<sup>st</sup> October 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

23<sup>rd</sup> September 2010