

## **RUGBY FOOTBALL UNION**

### **DISCIPLINARY HEARING**

**At:** Bloomsbury Holiday Inn, London

**On:** Monday, 28 November 2011

### **JUDGMENT**

**Player:** Nathan Hannay

**Club:** Jersey RFC

**Match:** Jersey RFC –v- Cambridge RFC

**Venue:** Cambridge RFC

**Match Date:** 12 November 2011

**Panel:** Jeremy Summers (Chairman), Simon Wakefield, Elizabeth Riley (the Panel)

#### **By conference call:**

Nathan Hannay (the Player)  
Cliff Chipperfield – Jersey RFC Chairman of Discipline  
Guy Thompson – Jersey RFC Witness  
Ben Harvey – Jersey RFC 1<sup>st</sup> XV Coach  
Bill Dempsey – Jersey RFC Chairman

**Secretary:** Rebecca Morgan (RFU Discipline Administrator)

#### **Decision**

- 1. The Player was found guilty of striking an opponent with his head contrary to Law 10.4(a). For the reasons set out below, he was suspended from playing rugby for a period of two weeks, the actual dates of which are also noted below.**

#### **Preliminary matters**

2. The Player did not object to the composition of the Panel.
3. It was noted that the Player had not requested the attendance of the Referee.
4. The charge was read to the Player, who admitted that he had struck an opponent with his head contrary to Law 10.4(a).

#### **Facts**

5. The Panel considered:
  - (a) the sending off report;
  - (b) oral evidence from the Player;
  - (c) oral evidence from Mr Thompson;

- (d) oral evidence from Mr Chipperfield;
  - (e) Copies of emails between the Player and Darren Fox;
  - (f) Copy of Jersey RFC Disciplinary Report dated Monday 28<sup>th</sup> November 2011;
  - (g) Copy of the transcript of the conversation between the referee and his assistant obtained from the DVD.
6. Match footage was available but was not useful in determining the facts.
7. The sending off report of the referee stated as follows:
- “Following a ruck in the middle of the pitch and approximately 5 metres inside Cambridge's half, Nathan Hannay and Darren Fox (Cambridge 7) stood up and were grabbing each other's jerseys. Despite my verbal commands to let each other go, the 2 persisted, and their grips moved toward each other's necks. Hannay then head-butted Fox.”*
8. The incident occurred in the forty-fourth minute of the first half of the match. The referee was approximately 1.5 metres away and had an unobstructed view.

#### The Player's case

9. The Player gave evidence. He agreed with the referee's account of the incident and stated that in the course of the preceding ruck he had been shoulder charged by the Cambridge player, Darren Fox (C7) and that this had resulted in a minor scuffle between the Player and C7. As he moved away from the ruck to follow play C7 pushed him again and the two players grappled with each other. The Player stated that in the course of this he bent down and “pushed him away with [his] head”. He stated that the force had been minimal and no injury was caused. Under questioning the Player said that he was at 6' 7" some 4 – 5 inches taller than C7 and that he had leant down to make contact with C7's head.
10. The Player stated that he was 27 years of age and had played rugby since the age of 7. He had been with Jersey RFC for two years having previously played for Launceston, Sidmouth and Honiton rugby clubs.
11. The Player stated that he had apologised to C7 after the match and also exchanged emails with C7 repeating his apologies.
12. Mr Thompson stated that the Player had been on the back foot throughout the incident and that C7 was the aggressor. He stated that the contact had been slight but that C7 had been very verbal afterwards.
13. Mr Chipperfield drew the Panels attention to the transcript of the conversation between the referee and the assistant referee. He stated that C7 had been the instigator of the scuffle at the ruck and the subsequent confrontation.
14. Mr Chipperfield stated that the club had held a preliminary disciplinary meeting on 14<sup>th</sup> November 2011 and gave the Player an immediate 2 week ban. The Club then convened a full disciplinary meeting upon receipt of the referee's report and reduced the ban to one week. In effect this meant that

the Player served a ban of one week and missed the club's fixture on 19<sup>th</sup> November 2011.

15. The Panel commended and thanked the club for the manner in which they had dealt with the matter.

#### Finding and sanction

16. The Player was found guilty, on his own admission, of striking an opponent with his head contrary to Law 10.4(a).
17. The Panel undertook an assessment of the seriousness of the offending having regard to the criteria set out in 19.11.9 of the RFU Regulations as follows:
  - (a) The Player acted intentionally in making contact with his head.
  - (b) The contact was minor and characterised as a push.
  - (c) There was a degree of provocation and the Player had not instigated the confrontation.
  - (d) There was no injury and no effect on the game.
  - (e) The Cambridge player was not in any sense vulnerable.
  - (f) There was no premeditation and the conduct was completed.
  - (g) There were no other relevant features of the Player's conduct or other relevant circumstances.
18. In this regard the Panel found the offending to be at the Low End on the scale of seriousness. The Low End entry point is a suspension of four weeks
19. No aggravating factors were found for the purposes of RFU Regulation 19.11.11.
20. Having regard to the matters advanced in mitigation, and the factors set out in RFU Regulation 19.11.12, the Panel gave credit by way of a reduction of two weeks from the entry point and the Player was accordingly suspended for a period of two weeks.
21. The Player had effectively already served a one week ban imposed by the club from 14<sup>th</sup> November until 21<sup>st</sup> November 2011 and would be further banned for another week from 28<sup>th</sup> November until 5<sup>th</sup> December 2011. He is free to play again on 6<sup>th</sup> December 2011.

#### Costs

22. The Player and/or his club is ordered to pay costs of £200.

#### Appeal

23. The Player was advised of his right of appeal as set out in the RFU Regulations.

Simon Wakefield, on behalf of the Chairman

30 November 2011