

RFU SHORT JUDGMENT FORM



Match	Leicester Tigers	Vs	Wasps
Club's Level	1	Competition	Gallagher Premiership
Date of Match	15 February 2020	Match Venue	Ricoh Stadium

Particulars of Offence			
Player's Surname	YOUNGS	Date of Birth	28/01/1987
Forename(s)	Tom	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Leicester Tigers	RFU ID No.	119115
Type of Offence	Citing		
Law 9 Offence	9.12 - Punch/Strike		
Sanction	4 week suspension.		

Hearing Details			
Hearing Date	18 February 2020	Hearing venue	Holiday Inn, Bloomsbury
Chairmen/SJO	Jeremy Summers	Panel Member 1	Nick Garling
Panel Member 2		Panel Secretary	Rebecca Morgan
Appearance Player	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Appearance Club	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Player's Representative(s):	Other attendees:
Simon Cohen, CEO Leicester Tigers	Adam Maunder, RFU (Observing)

List of documents/materials provided to player in advance of hearing:
Charge Sheet. Citing Report. Statement from Will Rowlands (by email dated 16 February 2020). Medical Report from Wasps.

The Citing Commissioner's (Andy Blyth) report read:

"Leicester (L) drive a maul from a lineout. L2, Tom Youngs, is in possession Wasps (VV) are penalised for collapsing the maul. As a result of the collapse W4, Will Rowlands, finds himself lying prone over the top of L2. Without any obvious provocation L2 punches W4 with a clenched Fist making contact on the cheek/eye area. As a result W4 has a cut at top of cheek bone under right eye. W4 receives treatment on field then plays on.

The incident was not seen by the referee and therefore no action was taken on-field. However conversation can be heard over the referee microphone with Wasps players suggesting to referee that a punch had been thrown. The TMO check did not immediately find the incident and play continued, to then later be found but too late to take any action.

Post match I spoke with W4 who confirmed that he had been punched by L2 and the injury under his eye was as a result.

Having studied all television angles and considered all evidence available I believe that this incident of foul play passes the Red Card test and I hereby fully cite Tom Youngs L2 under Law 9.12 for Striking."

The footage was viewed, which was broadly consistent with the narrative as set out above provided by the Citing Commissioner.

Statement from Mr Rowlands (W4) recorded:

"After the maul collapsed, I was lying on top of Tom who then swung his fist into my face. it was unprovoked, but he did immediately apologise and then subsequently apologised at the end of the game".

Medical evidence from Wasps reported:

"Will Rowlands was attended to on the field of play for abrasion under the Right eye. The player reported that he sustained the injury from a punch to the eye by an opposing player named as Tom Youngs.

There was no associated bony injury to the eye or nose and there was no evidence of Concussion on examination during or after the game.

Abrasion did not require an suturing during or after the game. It will be monitored and is expected to heal without further intervention."

It was further confirmed that Mr Rowlands was fit to play and had joined up with the Wales squad ahead of the upcoming 6 Nations weekend.

Summary of Player's Evidence

Additional footage was submitted at the hearing on behalf of the Player. The source of the footage was unclear, but the Panel understood from Leicester that it had been obtained from a Twitter feed on the day of the hearing. It was submitted that this showed W4's left hand on the Player's genitals. Whilst it was not asserted that this had been intentional, it had led to the Player striking out in reaction to that contact.

The Player gave evidence and confirmed he accepted that he had committed an act of foul play that had warranted the issue of a Red Card.

He further realised that he had let his club down and the game more widely. He was a player who played to the limits, but was not a dirty player. His reaction was instantaneous but out of character and one that he had very much regretted. He had immediately apologised to W4 after the incident and had done so again after the game. He had not mentioned the contact with his genitals prior to the additional footage becoming available.

Mr Cohen noted that the offending would have to be assessed at being at the mid-range of the scale of seriousness. However, and notwithstanding that the Player had two previous offences recorded against him, in his submission in all the circumstances the Player should still receive the maximum permitted 50% reduction from the entry point.

He advanced two points in support of that submission:

1. As regards the previous offences, the first had been in (January) 2016 and should therefore be disregarded. The second in 2019, had been found to have involved reckless rather than intentional offending. Accordingly, this was the first offence that had involved deliberate foul play, throughout the Player's lengthy career; and
2. The Player had reacted to contact, albeit that this had been unintended, with his genitals.

Findings of Fact

The Player, on his own admission, had committed an act of foul play.

The offending involved a single strike to the head of W4, with a closed fist. As such, again on the Player's own admission, the Referee had been correct to issue a Red Card.

Minor injury had been sustained to the right side of W4's face below the eye.

Decision

Breach admitted Proven Not Proven Other Disposal (please state below)

SANCTIONING PROCESS



Assessment of Seriousness

Assessment of intent - Ref 19.11.8

PLEASE TICK APPROPRIATE BOX

19.11.8(a) Intentional/deliberate



19.11.8(b) Reckless



Reasons for finding as to intent:

The offending was plainly a deliberate act. Any prior contact by W4 did not alter that fact.

Gravity of player's actions - Reg 19.11.8(c)

This was a strike delivered with sufficient force to cause some injury to W4's face just below the eye. It should be viewed in the context of, and as being contrary to, the efforts of the game to prevent head injuries being sustained by players.

Nature of actions - Reg 19.11.8(d)

Single strike to the face.

Existence of provocation - Reg 19.11.8(e)

The Player advanced this aspect at the hearing (although not in prior discussion with the RFU) following receipt of the additional footage. In any event, such contact as may have occurred, did not excuse the Player's actions, nor did he suggest that it should.

Whether player retaliated - Reg 19.11.8(f)

Retaliation was not a feature of the offending.

Self-defence - Reg 19.11.8(g)

Not relevant.

Effect on victim - Reg 19.11.8(h)

Some minor injury as set out above.

Effect on match - Reg 19.11.8(i)

None.

Vulnerability of victim - Reg 19.11.8(j)

Given the position of W, he was unable to defend against the strike, which would have been unexpected.

Level of participation/premeditation - Reg 19.11.8(k)

The offending amounted to a spur of the moment incident, which was not premeditated.

Conduct completed/attempted - Reg 19.11.8(l)

Completed.

Other features of player's conduct - Reg 19.11.8(m)

None.

Assessment of Seriousness Continued

Entry point

<u>Low-end</u>	<u>Weeks</u>	<u>Mid-range</u>	<u>Weeks</u>	<u>Top-end*</u>	<u>Weeks</u>
<input type="checkbox"/>		<input checked="" type="checkbox"/>	6	<input type="checkbox"/>	

*If Top End, the JO or Panel should identify, if appropriate, an entry point between the Top End and the maximum sanction and provide the reasons for selecting this entry point, below.
In making this assessment, the JO/committee should be consider RFU Regulation 19

Reasons for selecting entry point:

Mandatory entry point given contact with the head. Such an assessment would have in any event been likely to have been warranted given the intentional nature of the offending and the injury caused.

Additional Relevant Off-Field Aggravating Factors - Reg 19.11.10

Player's status as an offender of the laws of the game - Reg 19.11.10 (a)

Although the Player had two previous offences recored against him, his record was not such as to engage this provision.

Need for deterrent to combat a pattern of offending - Reg 19.11.10(b)

Not relevant.

Any other off-field aggravating factor that the disciplinary panel considers relevant and appropriate - Reg 19.11.10 (c)

None.

Number of additional weeks: 0

Relevant Off-Field Mitigating Factors	
Acknowledgement of guilt and timing - Reg 19.11.11(a)	Player's disciplinary record/good character - Reg 19.11.11(b)
Full and immediate.	Two previous suspensions in 2016 (strike) and 2019 (dangerous charge).
Youth and inexperience of player - Reg 19.11.11(c)	Conduct prior to and at hearing - Reg 19.11.11(d)
Not relevant.	As to be expected from someone of the Player's standing.
Remorse and timing of Remorse - Reg 19.11.11(e)	Other off-field mitigation - Reg 19.11.11(f)
Expressed and clearly genuine.	None.

Number of weeks deducted: 2

Summary of reason for number of weeks deducted:

The arguments advanced on behalf of the Player in support of his being granted a 50% discount from the entry point were rejected.

The Player has two other matters recorded against him in the past 4 years, and in those circumstances the Panel held that he was not entitled to full mitigation.

In light of his early plea, remorse and conduct at the hearing, the Player was entitled to a 30% reduction from the entry point, amounting to 2 weeks.

Games for meaningful sanctions:

Sale - 21.2.20

Worcester - 29.2.20

Saracens - 7.3.20

Exeter - 21.3.30

Suspension takes into account the fallow week in the Gallagher Premiership over the weekend 13-15 March.

Sanction

NOTE: PLAYER ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING

Total sanction	4 week suspension.	Sending off sufficient	
Sanction commences	18 February 2020.		
Sanctions concludes	23 March 2020.		
Free to play	24 March 2020.		
Final date to lodge appeal	20 February 2020.		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	£500.		

Signature (JO or Chairman)	Jeremy Summers	Date	19.02.2020
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NOTE: YOU HAVE THE RIGHT OF APPEAL AGAINST THIS DECISION AS SET OUT IN REGULATION 19.12 OF THE DISCIPLINARY REGULATIONS. YOUR ATTENTION IS SPECIFICALLY DRAWN TO THE TIME LIMIT AND DIRECTIONS/REQUIREMENTS RELATING TO AN APPEAL SET OUT IN REGULATION 19.12.9