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**TX: 14.03.03 – PARALYSED RUGBY PLAYER WINS CASE AGAINST WELSH RUGBY UNION**

**PRESENTER: LIZ BARCLAY**

**BARCLAY**

The Welsh Rugby Union has lost its appeal against a compensation claim made by a player left paralysed after a match. The ruling means the union may have to pay millions of pounds to the former player Richard Vowles. Its applying for permission to appeal to the House of Lords. But this is a landmark case for all sorts of sport in the UK and may force sports governing bodies to re-examine their rules and regulations. The impact on amateur sports in particular could be devastating.

Philip Griffiths is Richard Vowles' solicitor, he's from the law firm J. Peter Davies in Cardiff. Philip Griffiths I know you don't want to discuss the details of Richard Vowles particular case but why in cases like this would a governing body - in this case the Rugby Union - be held to be to blame?

**GRIFFITHS**

Well in this particular case we were talking of a particular rule, a rule that was in place and designed to protect players and in particular players in the front row. That rule wasn't applied as it should have been and as a result our client suffered a catastrophic injury.

**BARCLAY**

So in that case who should have made sure that the rule was applied?

**GRIFFITHS**

Well the referee. The referee is responsible for enforcing rules on the pitch and certain rules are put in place purely to minimise the risk of injury.

**BARCLAY**

So are we saying then that referees or umpires can be held to be negligent if they don't apply the rules rigidly for the safety and protection of the players?

**GRIFFITHS**

Yes, certainly in this particular case there was a specific rule in place, as I've said. It's not to say that in every single situation where a player is injured that a referee will be held responsible and the Court of Appeal made this quite clear. There's a very high threshold of liability to jump before you can establish liability against a referee.

**BARCLAY**

We're also joined by Barry Stewart-King, who is chair of the Association of Cricket Umpires and Scorers, chief executive of the Club Cricket Conference and an umpire himself. Barry Stewart-King, rugby and cricket, dangerous sports, most players must realise that they face a high chance of being injured in some way. Surely that's just one of the risks of the game?

**STEWART-KING**

Yes well I would very much hope that that would be the case and I've just heard from Barry Stewart-King that there's no training so far as cricket umpires is concerned and maybe something will come of that as a result of this case. But if I can say that there is protection in terms of the judgement for the - if you like - the volunteer umpires or referees. It's not a question of the same standard of care being applied to every single referee. The Court of Appeal made it clear that there's a big difference between a professional or semi-professional referee and somebody who volunteers. And it was said that it can't - it cannot reasonably be expected to show the skill of somebody who holds himself out as a referee and perhaps they won't even be so fully conversant with the rules of the game - that is to be expected.

**BARCLAY**

There I'm afraid we have to leave it. Actually Barry Stewart-King did say that a lot of umpires were trained not that all weren't trained. Barry Stewart-King from the Cricket Association and Philip Griffiths, solicitor, thank you.