RUGBY FOOTBALL UNION

DISCIPLINARY HEARING

At: Holiday Inn, Bloomsbury

On: Monday 31 March 2008

JUDGMENT.

Player: Laurence Dallaglio Club: London Wasps RFC

Match: Liecester Tigers v London Wasps

Venue: Millenium Stadium **Date of match:** 22nd March 2008

Panel: Jeff Blackett (Chairman), Mike Curling and John Doubleday

Secretariat: Bruce Reece-Russel

Liam McTiernan

Attending: The Player.

Kate Gallafent – Counsel

Nolan Miller – Wasps team manager

Charge and Plea

1. The Player pleaded guilty to striking an opponent contrary to Law 10(4)(a).

The Facts

2. The Player was cited by RFU Citing Officer Ken Pattison whose report stated:

"There was a maul after a lineout with Leicester going forward and in possession. The Leicester No 18 (J White) can be seen coming through the middle of the mal in a fairly upright position and he is struck in the face by L Dallaglio who is to White's left and uses his left hand/fist to strike him. White had been on the field of play as a replacement for approximately 3 minutes on this occasion although he had been there earlier as a blood replacement. White reacted and there was some confrontation after the event but no punches appeared to be thrown. White continued to play on for the last 6+ minutes." None of the match officials saw this incident.

3. The video of the incident showed a maul in which Leicester were advancing. The Player, who had rolled around from the back left to the back right hand side detached slightly and then sought to rejoin the maul. In doing so he swung his left arm with some force along the back of the players in front of him and in doing so his hand came into contact with White's head. The video corroborated the citing

officer's view of the altercation which followed – both players faced up to each other with White grabbing the Player in the neck area. There were no visible signs of injury to White on the video nor did it appear that he needed any medical attention. However after the match a cut near the eye, which was said to have been caused in this incident, required 4 sutures. This injury did not affect White's ability to train or play subsequently.

- 4. As soon as the citing was received, Wasps immediately suspended the Player for one week. As a result he did not play in the Guinness Premiership match between the two clubs the following weekend.
- 5. The Player told the panel that he wanted to contribute take up a more balanced position to help stop the Leicester drive and he had swung his left arm across the players to gain some momentum. He did not target White specifically and his actions were not malicious but he accepted that by striking him he had committed an act of foul play. The Player apologised for his actions and expressed great disappointment that he should appear before a disciplinary panel for the first time so near the end of his career. He said that he had been very disappointed by his own actions and then, subsequently, by the fact that he was unable to play for the last time at Welford Road.

Mitigation

- 6. Miss Gallafent submitted that this offending was not deliberate but the Player immediately accepted his actions were reckless and he did not seek to suggest it was accidental. The contact was between the side of the Player's wrist and Whites head not his fist as suggested in the citing report. She highlighted the fact that White continued to play and that, notwithstanding the need for 4 sutures, there was no lasting injury. Thus there was no adverse effect on either the game or White (apart from a small altercation between the players). He was not in a vulnerable position as he drove forward in the maul and there were no other relevant features in relation to the offending. In those circumstances she submitted that this was at the low end of the scale of seriousness and such a decision would be consistent with other similar cases where there had been a single strike which was considered reckless.
- 7. Miss Gallafent then submitted that there were no aggravating off-field features in this case and she asked the panel not to consider making an example of the Player because of his status in the game. On the other hand, she said, there were significant mitigating factors. The Player is almost unique in that he has never appeared before a disciplinary panel in 17 years of playing first class and professional rugby and having earned 85 international caps. He has, on occasions, been the focus of intense provocation, but he has never retaliated. He immediately acknowledged his foul play and apologised to White on the pitch (although the apology was not well received) and then in the dressing room afterwards. On being cited he immediately acknowledged his culpability and accepted the sanction from his club with a public display of contrition. She further submitted that the Player has decided to retire at the end of the season and has only 8 games of rugby left to play for his club. He feels a deep sense of loyalty to the club and its supporters and, in these circumstances, the panel ought to take that into account as a further relevant off field mitigating factor. Miss Gallefant suggested that in the absence of aggravating features and will this

compelling mitigation it would be appropriate for the panel to reduce the sanction to one of no suspension.

Sanction

- 8. The panel undertook an assessment of the seriousness of the player's conduct. It accepted the Player's explanation of the incident and were persuaded by Counsel's submissions that this was an example of the least serious type of offending and categorised it as being at the LOWER END of seriousness.
- 9. The LOWER END entry point for striking is 2 weeks suspension. The panel concluded that there were no aggravating features and there were significant mitigating factors. First he acknowledged culpability at an early stage and did not seek to argue that contact was accidental. He has an exceptionally good character and disciplinary record and he has been a role model for most of his playing career. His conduct prior to and at the hearing was exemplary and his remorse was genuine – and he even had the good grace to suggest that he would accept any sanction considered appropriate without question. There is no doubt that the Player deserved full credit for these matters and the panel then considered whether, exceptionally, there should be any further reduction. Although there was no wish to make an example of a high profile player it is important that there is no perception that such an individual should be given special treatment. In all the circumstances, therefore, the panel concluded that the appropriate sanction was suspension for one week. The Player is, therefore, suspended for one week from 25 March (the date when suspended by his club) to 1 April 2008. He may play again on 2 April 2008.
- 10. The panel commended London Wasps for its swift action in suspending the Player as soon as the matter was brought to their attention.

Costs

11. Costs of £250.00 are awarded against the Player/club.

Right of Appeal

12. The Player is reminded of his right of appeal against this decision.

Signed: Jeff Blackett Date: 31 March 2008

Chairman