

**RUGBY FOOTBALL UNION**  
**RFU DISCIPLINARY HEARING**

**At:** Holiday Inn, Coventry

**Date:** 21 April 2008

**Player:** Duncan White

**Match:** Manchester v Stourbridge

**Venue:** Manchester

**Date:** 29 March 2008

**Panel:** Richard Moon (Chairman), Paul Murphy and Geoff Payne

**In attendance:** Player pleaded guilty by post.

The panel considered:

1. The referee's written report.
2. A letter from Stourbridge Rugby Football Club sent by fax on 21 April 2008.
3. A letter from Neil Mitchell (Director of Rugby Stourbridge Rugby Club) and email dated 18 April 2008 from Keith Hatter.
4. A DVD from Manchester RFC of the match.

**Charge and Plea**

Mr White pleaded guilty by post to the offence of stamping contrary to Law 10.4(b). The particulars of that offence are as follows: -

"On 29 March 2008, Duncan White, Stourbridge RFC stamped on an opponent during (the 35<sup>th</sup> meet of the second half), the match Manchester v Stourbridge".

## Evidence

### Referee's Account

In his written report the referee, Adrian Hartwell, stated that the incident took place 5 minutes from the end of the second half. He said that he had an unobstructed view of the incident. The player was approximately on the Stourbridge 22 line and 10 metres from touch. There was an attempted "sack" by a Manchester player who was on the ground. Duncan White then placed his feet in a downwards motion on more than 1 occasion on the Manchester players body.

### DVD Evidence

Manchester RFC provided a DVD of the incident which was considered by the Panel. The video showed that Duncan White who was pulled to the ground by the Manchester player stamped on the Manchester player who was in a vulnerable position on the floor. The Panel found that Mr White stamped on the player on the ground on 3 occasions. One stamp was on the knee, 1 stamp on the thigh and a third stamp on the neck/face of the player on the ground. The third kick which struck the player on the neck/face was aimed in a sideways motion, which indicated to the Panel that there was a deliberate intent by Mr White to stamp on the player. The Panel felt that the Manchester player was extremely fortunate not to be injured by the actions of Mr White and was saved from serious injury by a scrumcap that he was wearing. The Manchester player, although dazed, did not sustain an injury, although Mr White's actions caused a large brawl between the players. In his written guilty plea Mr White stated, "In a moment of temper and anger and frustration at being unable to keep my balance and play, I stamped on his body once". He further states, "I did not strike at any particular part of his body but I think the blow landed on his upper body". Having viewed the video the Panel found that Mr White in fact stamped on the player on 3 occasions and not 1. My White further stated that, "I did not strike at any particular part of his body but I think the blow landed on his upper body". The Panel believed that the third stamp which landed on the neck/face of the player was, the Panel found, to have been an intentional act and clearly avoidable. The previous 2 stamps by Mr White were also found by the Panel to be intentional.

## **Entry Point**

Having regard to the matters set out in the Regulations the Panel found that: -

1. It was an intentional act.
2. It was a committed and completed act.
3. Although the Manchester player had pulled down Mr White following a catch in the lineout, it cannot be said that there was any provocation by the Manchester player.
4. The Manchester player was not injured.
5. The Manchester player was in a vulnerable position on the floor.
6. Mr White's actions resulted in a mass brawl between the players.
7. The Panel believed that there was a level of premeditation in all 3 of the stamps on the prone player, but in particular the third stamp in which Mr White kicked out sideways to land a stamp on the neck/face of the Manchester player.

In light of the above the Panel concluded that this offending was so serious as to justify a High Entry Point.

## **Sanction**

The Panel took into account the fact that Mr White immediately showed remorse for his actions. He apologised to the Manchester player and also to the referee. Mr White is not a persistent offender and has a good disciplinary record. The testimonials received in support of Mr White also show him to be of good character and who has never been cautioned for foul play or been dismissed from the field of play before.

The recommended sanctions for a top end offence is between 9 and 52 weeks. The Panel decided that the entry point was 16 weeks. However, the Panel decided to give a 50% discount to take into account the guilty plea and the mitigating factors referred to above. Accordingly, the player is banned for a period of 8 weeks from 21 April 2008 and play again on 17 day of June 2008

## **Costs**

£75.00

Signed: Richard Moon, Chairman

Date: 21<sup>st</sup> April 2008