RUGBY FOOTBALL UNION DISCIPLINARY HEARING

Venue: Holiday Inn Junction 2, M6

Date: 1st March 2010

Player: Dave Archer Club: Cambridge

Match: Cambridge v Cinderford

Venue: Cambridge Date of Match 6th February 2010

Panel: Sean Enright, John Brennan and Bob Taylor

Secretary: Liam McTiernan

In Attendance:

Dave Archer (The Player)

Bob Crook: Director of Rugby at Cambridge

Paul Stanley by telephone link

1 The hearing was convened to determine an allegation of stamping contrary to law 10 (4) (b) that was alleged to have taken place during the above mentioned game and resulted in the Player being sent off.

2The Player did not object to the composition of the Panel.

3The Player denied the allegation.

- 4 The Panel considered the following evidence:
 - (a) A brief report from the assistant referee;
 - (b) The match video;
 - (c) Evidence from Bob Crook, Director of Rugby at Cambridge RFC
 - (d) Evidence from the Player.

5 The assistant referee Paul Stanley gave evidence on the telephone link. He described an incident as now set out. Cinderford won the ball from a scrum which disintegrated. As the play moved away Mr Archer stamped on the shoulder /head of a player. The witness intervened immediately and spoke to the referee. He identified the Player as the culprit. The Player was then sent off. The witness Mr Stanley was quite sure that a player had been stamped on. It seemed to us that when he gave his evidence he harboured a slight doubt.

6 We watched the Dvd several times. The quality of the Dvd was indifferent although Mr Archer was easily identifiable by height, build and shirt number. He was also the only Cambridge forward wearing white boots.

7 The DVD showed very clearly that at the time of the alleged incident Mr Archer was about thirty metres from the scene.

8 We dismissed the charge against the Player. No blame attaches to the assistant referee. This case starkly illustrates the dangers of mistaken identification evidence.

Signed SEAN ENRIGHT (Chairman)

Date 2rd March 2010