RUGBY FOOTBALL UNION DISCIPLINARY HEARING

At: Holiday Inn, Brighouse, West Yorkshire

On: Monday, 11th October 2010

Judgment

Player: JORDAN PEARSON Club: Preston Grasshoppers

Match: Stockport v Preston Grasshoppers

Venue: Stockport

Date of Match: 18th September 2010

Panel: Antony Davies (Chairman), Peter Rhodes and Clif Barker ("the

Panel")

Secretariat: Bruce Reece-Russel (RFU Disciplinary Manager)

Brenda Parkinson (RFU Disciplinary Department)

Attending as Tony Simpson (RFU Communications Manager, North)

Observers: Ian Unsworth Q.C.

Decision

1. The Panel found the Player guilty on his own admission of an offence of punching or striking an opponent, contrary to Law 10(4)(a). The Panel determined that the Player should be suspended for a period of six weeks from 20^{th} September 2010 to 31^{st} October 2010, inclusive.

Preliminaries

2. There was no objection to the composition of the Panel. The Player had indicated that he did not contest the charge and that he wished the Panel to deal with the matter in his absence and on the basis that the Referee's report, which was not contested by the Player or his Club.

The Facts

3. The report of the Match Referee, Mr. Michael Baynham, confirmed that he had dismissed the Player from the field of play (red card) in the 27th minute of the first half. He awarded a scrum which went without incident. Play continued a short while until he became aware of a melée taking place between front row players from both sides. The report continued:

"At this point I blew my whistle and attempted to engage the players to stop the incident. Further players became involved and the Preston GH No. 8 (Jordan Pearson) clearly struck a Stockport player three times to the head with punches. While this took place, I continued to shout instructions and again blew my whistle"

The Player's Case

4. The Player's Club had written to confirm that it had taken its own disciplinary action against the Player with an immediate three week ban.

Entry Point

- 5. The Panel noted the following elements of the offending:
- (i) It was intentional and deliberate with three separate punches to the head of an opponent.
- (ii) There was no evidence of injury.
- (iii) The incident started between the front rows. The Referee had blown his whistle and was attempting to engage the players to stop the incident. Thereafter, the Player voluntarily involved himself by punching an opponent three times to the head, despite the Referee whistling repeatedly and shouting instructions to players to desist.
- (iv) The incident was not of the Player's making, though he had voluntarily involved himself in it, thereby exacerbating the situation.
- (v) The Player himself was struck twice to the head with punches by an opponent who also received a red card.

(vi) Though there was no injury, the Player's actions escalated the incident and the violence, which creates a spectacle which mars the game. The Player had time to make a choice not to get involved, but nonetheless voluntarily involved himself in a violent altercation. In those circumstances, the Panel takes the view that the offending should be properly characterised as in the MID RANGE, giving an entry point of five weeks' suspension.

Aggravating Features

- 6. The Panel went on to consider whether there were any aggravating features under Disciplinary Regulation 19.8.2.7 and found that there were.
- 7. On 11th September 2010, the Player received a red card for an act contrary to good sportsmanship and that he received two yellow cards (both for striking) during the match Preston Grasshoppers 2^{nds} v Lymm 2^{nds}. When he played in this game one week later, he was aware that he was due to appear before a Disciplinary Panel on Monday, 20th September 2010. Nonetheless, he contrived to get himself in a situation where he struck an opponent three times to the head only seven days after he had received a red card for two incidents of striking.
- 8. The proximity and similarity of the incidents (striking only one week apart) warrant, in the Panel's view, an additional sanction, the appropriate one being an additional two week suspension.

Mitigating Factors

9. The Player has accepted his guilt at the first opportunity and has not sought to challenge the Referee's report. He is therefore entitled to a reduction of one week on account of mitigating factors.

Sanction

10. The Player is accordingly suspended for six weeks from 20th September 2010 to 31st October 2010 inclusive. He may play again on 1st November 2010. This period is back-dated to the period of suspension imposed internally by his own Club.

Costs

11. Costs of £200.00 are ordered to be paid by the Player/his Club.

Right of Appeal

12. The Player is advised of his right of appeal as set out in Disciplinary Regulation 19.10.

Antony Davies

Antony Davies,

Chairman

13th October 2010