

DISCIPLINARY DECISION



Match	Australia U20's v Italy U20's		
Player's Union	ARU	Competition	World Rugby U20's Championship
Date of match	12 th June 2018	Match venue	Narbonne
Rules to apply	Tournament Disciplinary Programme		

PARTICULARS OF OFFENCE

Player's surname	Wood	Date of birth	18 February 1999
Forename(s)	Michael		
Referee Name	Shane McDermott	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted
Offence	Law 9.12 - kicking	SELECT:	Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/> If "Other" selected, please specify:
Summary of Sanction	5 weeks		

HEARING DETAILS

Hearing date	14 th June 2018	Hearing venue	Palais des Congrès, Perpignan
Chairman/JO	Antony Davies		
Other Members of Disciplinary Committee	Beth Dickens (Ex Scotland International) by Skype Valeriu Toma (Ex Romanian Referee) by Skype		
Appearance Player	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Appearance Union	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Player's Representative(s)	Adrian Thompson (Head of High Performance ARU)	Disciplinary Officer and/or other attendees	Yvonne Nolan (World Rugby) by Skype
List of documents/materials provided to Player in advance of hearing	Team Sheet Referee Report Tournament Terms of Participation Medical Reports and e-mails from Match Day Doctor, Italian Doctor and HIA Doctor Victim statement (Italy 13) Match footage		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/DVD FOOTAGE

Assistant Referee Shane McDermott's report referred to a TMO intervention on 20 minutes in the first half. This led to a Referee review which disclosed Gold 6 who was seen trying to kick the ball out of a ruck he was defending (and illegally so). The Player misses the ball but makes direct contact with the head of an Italian player who is on the ground. After review, the Referee awards a red card.

The match footage corroborated the above.

ESSENTIAL ELEMENTS OF OTHER EVIDENCE (e.g. medical reports)

Andrea Masi (I13) statement reported being outstretched on the ground, presenting the ball after a tackle when he felt a strong knock behind his head which resulted in a moderate headache for the rest of the game.

The medical reports of the various Doctors recorded treatment on the field with ice. The player played on until later removed after an unrelated injury. Neither contact between I13 and the Player resulted in the need for an HIA.

SUMMARY OF PLAYER'S EVIDENCE

The Player stated that his initial intention was to counter-ruck and rake the ball backwards. He was unsuccessful in this but stated he had no intention at any time of kicking any player. However, his head was "buried" and he had no idea contact would be made. He maintained that such contact as there was, was accidental or careless. He accepted contact had been made with the head, but if it were found to be reckless, then it did not warrant the red card and the Referee had been wrong to send him off.

He was asked about the position of his hips and he accepted that he had moved direction and angle prior to making the kicking motion and was not aware of the position of I13's head when he carried out his action. He could not see I13's head, nor indeed the ball, but he carried on nonetheless. He maintained that he had fulfilled the standard of care and responsibility not to injure an opponent.

FINDINGS OF FACT

1. I 13 does not move. He remains in a stable position throughout.
2. The Player intended to kick the ball. He did not intend to kick I13.
3. His actions have the characteristics of a kick. A foot and leg are seen to move forward into contact with the head.
4. There are two contacts. The first and main contact between shin and back of head and an incidental contact with little force between the outside of the player's boot and the face.
5. Neither contact resulted in any injury.
6. The Player was reckless in attempting to kick when he could not see the position of I13's head or indeed the ball. Nonetheless he continued to carry out a risky course of conduct. He did not show the proper level of care for the player on the ground who was in a vulnerable position.
7. The offending clearly warranted the awarding of a red card. The Referee was not wrong to award it.

DECISION

Breach admitted <input type="checkbox"/>	Proven <input checked="" type="checkbox"/>	Not proven <input type="checkbox"/>	Other disposal (please state) <input type="checkbox"/>
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SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 17.19.2(a)-(b) (or equivalent Tournament rule)
Intentional/deliberate <input type="checkbox"/> Reckless <input checked="" type="checkbox"/>
State Reasons
The Player admitted that he carried out the action when he could not see either I13's head or the ball. We accepted that he did not intend to kick the head of I13.
Gravity of player's actions – R 17.19.2(c) (or equivalent Tournament rule)
Serious in that he could have caused severe injury to I13.
Nature of actions – R 17.19.2(d) (or equivalent Tournament rule)
A kick into an area he could not see
Existence of provocation – R 17.19.2(e) (or equivalent Tournament rule)
N/A
Whether player retaliated – R 17.19.2(f) (or equivalent Tournament rule)
N/A
Self-defence – R 17.19.2(g) (or equivalent Tournament rule)
N/A
Effect on victim – R 17.19.2(h) (or equivalent Tournament rule)
I13 received treatment on the field but played on. The later injury was unrelated.
Effect on match – R 17.19.2(i) (or equivalent Tournament rule)
None
Vulnerability of victim – R 17.19.2(j) (or equivalent Tournament rule)
I13 was highly vulnerable in that he was on the ground placing the ball backwards and would not have expected to be kicked to the head. He could not take any action to prevent or ameliorate the contact.
Level of participation/premeditation – R 17.19.2(k) (or equivalent Tournament rule)
Full participation.
Conduct completed/attempted – R 17.19.2(l) (or equivalent Tournament rule)
Conduct completed.
Other features of player's conduct – R 17.19.2(m) (or equivalent Tournament rule)
Head contact was clear. From 1 st June 2018, the minimum entry point is mid-range.

ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point					
<u>Top end*</u>	<u>Weeks</u>	<u>Mid-range</u>	<u>8 Weeks</u>	<u>Low-end</u>	<u>Weeks</u>
<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>	

*If Top End, the JO or Panel should identify, if appropriate, an entry point between the Top End and the maximum sanction and provide the reasons for selecting this entry point, below.

In making this assessment, the JO/Committee should consider World Rugby Regulations 17.19.2(a), 17.19.2(h), and 17.19.2(i) or the equivalent provisions within the Tournament Rules referred to above.

Reasons for selecting Entry Point above Top End

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status as an offender of the Laws of the Game – R 17.19.4(a) (or equivalent Tournament rule)
N/A
Need for deterrence – R 17.19.4(b) (or equivalent Tournament rule)
N/A
Any other off-field aggravating factors – R 17.19.4(c) (or equivalent Tournament rule)
N/A

Number of additional weeks:

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – R 17.19.5(a) (or equivalent Tournament rule)	Player’s disciplinary record/good character – R 17.19.5(b) (or equivalent Tournament rule)
The Player did not accept the foul play prior to or at the hearing despite clear evidence to the contrary	The Player has no previous disciplinary appearances or record.
Youth and inexperience of player – R 17.19.5(c) (or equivalent Tournament rule)	Conduct prior to and at hearing – R 17.19.5(d) (or equivalent Tournament rule)
The Player is young but experienced.	Excellent at the hearing
Remorse and timing of remorse – R 17.19.5(e) (or equivalent Tournament rule)	Other off-field mitigation – R 17.19.5(f) (or equivalent Tournament rule)
No apology after the game was forthcoming, though the Player had subsequently e-mailed the opponent to apologise for the contact.	None

Number of weeks deducted: 3

Summary of reason for number of weeks deducted:
 The inadequate acknowledgment of guilt and absence of immediate apology and remorse meant the Player could not achieve the full discount of 50%.

SANCTION

NOTE: PLAYERS ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – R 17.14.5(f) (or equivalent Tournament rule)

Total sanction	5 weeks’ suspension	Sending off sufficient <input type="checkbox"/>
Sanction commences	12 th June 2018	
Sanction concludes	16 th July 2018	
Matches/tournaments included in sanction	The suspension is intended to cover the last match at this tournament and the first four of the Player’s Premier and Premier Colts games commencing 23 rd June 2018	

Costs	None
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Signature (JO or Chairman)	Antony M. Davies	Date	14 th June 2018
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NOTE: YOU HAVE 48 HOURS FROM NOTIFICATION OF THE DECISION OF THE CHAIRMAN/JO TO LODGE AN APPEAL WITH THE TOURNAMENT DIRECTOR – R 17.22.2(a) (or equivalent Tournament rule) (see Page 6)