



# EPCR SHORT JUDGMENT FORM

Match	Glasgow Warriors	Vs	Montpellier Herault RFC
Club's Country	Scotland	Competition	EPCR
Date of match	8.12.17	Match venue	Scotstoun Stadium, Glasgow
Rules to apply	<b>EPCR Disciplinary Rules 2017/18</b>		

## PARTICULARS OF OFFENCE

Player's surname	Turner	Date of birth	
Forename(s)	George	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Glasgow Warriors	Referee/CC name	Matthew Carley
SELECT: Red card <input type="checkbox"/>	Citing <input checked="" type="checkbox"/> Other (specify) <input type="checkbox"/>		
Offence	Playing an opponent without the ball - 10.4(f)		
Summary of Sanction	4 Weeks <b>Insert number of weeks OR select No Sanction as appropriate</b>		

## HEARING DETAILS

Hearing date	13.12.17	Hearing venue	Sofitel Hotel, Heathrow
Chairman/JO	Daniel White	Panel member 1	Donal Courtney
Panel member 2	Nigel Williams	Disciplinary Officer	Liam McTiernan
Appearance Player	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Appearance Club	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Player's Representative(s):

**John Manson - Team Manager**

Other attendees:

**Mike Hamlin [Chairman of the Independent Judiciary for EPCR]  
George Elliott**

List of documents/materials provided to player in advance of hearing:

Citing Report from Shaun Gallagher, Citing Commissioner;  
 Yellow Card Report from Matthew Carley, Referee;  
 Statement of Andrew Jackson, Assistant Referee;  
 Statement of Greg Macdonald, Assistant Referee;  
 Statement of Stuart Terheege, Television Match Official;  
 Statement of Louis Picamoles, Montpellier player;  
 Response to Standing Directions by George Turner, Glasgow Warriors;  
 Confirmation of Player's playing schedule and disciplinary record;  
 Confirmation of Player's current fitness status;  
 Character Reference from David Rennie, Glasgow Warriors Head Coach.  
 Response to from Liam McTiernan of EPCR to the players representations

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

Match clock 26.55 - Montpellier No 15 gathers a loose ball in his own 22 and runs laterally across field. The Montpellier No 8, Louis PICAMOLES takes up a static position in front of his own goal posts with his back towards the advancing Glasgow Warriors defensive line. He is not in possession of the ball at any stage. The Glasgow Warriors No 2, hooker George TURNER is running at speed and from distance towards PICAMOLES. He makes no attempt to avoid the Montpellier No 8 and instead makes forceful contact with the exposed back area of the player, using a combination of his right forearm/elbow and right shoulder. This causes PICAMOLES head and neck to 'whiplash' as he is catapulted to the ground. The No 8 receives on field medical treatment, before being removed from the field for a Head Injury Assessment. The match officials review the incident via the TMO protocols and the referee issues a yellow card to the Glasgow Warriors No 2 George TURNER for the offence of playing an opponent without the ball.

As the appointed Citing Commissioner, I have reviewed footage from all available angles, in 'real time' and slow motion. The footage clearly shows, the Glasgow Warriors No 2, making avoidable contact with considerable force with his right forearm and shoulder, to the back of the Montpellier No 8, who was unsuspected and therefore in a vulnerable position and in no position to protect himself. This resulted in a Head Injury Assessment for the victim player.

I therefore fully cite the Glasgow Warriors hooker, No 2, George TURNER, for the offence of Playing an opponent without the ball, contrary to law 10.4(f) of World Rugby's International laws of the game.

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

Louis Picamoles (The Montpellier No 8) wrote to EPCR in response to the citing report. He states he was the subject of "an illegal, dangerous and violent charge in the back". He said that George Turner did not come to make his apologies or check on his welfare after the game. The action led to him being taken off the field for a HIA.

## SUMMARY OF PLAYER'S EVIDENCE

In his response to the standard directions Mr Turner accepted his actions were foul play and merited a red card. He qualified this acceptance by stressing that his actions were reckless to the extent that:

- he had not changed his line of run at any stage,
- his sole intent and focus was to put pressure on the Montpellier 15,
- the Montpellier No. 8 looked briefly over his shoulder and moved slightly to his left to be positioned directly in front of the Player, blocking his intended path.
- the nature of this contact (and any degree of force associated with it) was the result of the Player running at full speed (for legitimate purposes) and then bracing himself for an unintended collision,
- the Player did not deliberately run towards Montpellier No. 8,
- the collision did not occur in an "off the ball" scenario,
- his actions were reckless,
- he should have been more aware of Montpellier No.8's presence and position.
- he could have done more to avoid the resultant potentially dangerous collision,
- the Player regrets that Montpellier No. 8 was required to leave the field temporarily for a HIA,
- the Player is glad to note that Montpellier No. 8 returned to the field and played a full and active part in the remainder of the match (subsequently being named Man of the Match).

During the hearing Mr Turner and Mr Manson stressed the same account as set out above. Mr Turner conceded it was the result of a "rush of blood to the head" and a stupid decision to act as he did, but emphasised that this was reckless and not intentional. He gave compelling evidence of how he had tried to apologise but that the No 8 was the subject of a HIA at first and after the match was conducting media duties due to having been made the Man of the Match. As a result he was unable to communicate his remorse directly to him, but had shaken hands with many of the opposing team after the game. In terms of impact on the game Mr Turner stressed how it triggered his team conceding a try and eventually losing the match, when prior to his being sent off they were in the ascendancy.

## FINDINGS OF FACT

The panel did not accept the player's account that this collision was inevitable and reckless. We found his actions were intentional and avoidable. The panel had sympathy with the submission that when one plays a "escorting" role, as the Montpellier No 8 was (for his No 15 as he ran a counter attack) you might expect some level of inadvertent contact with opposition tacklers as they come through the defensive line. However, that level of contact should never be of the type or degree that was used here. Mr Turner took several paces after the No 8 was stationary. Rather than simply pushing him out the way or avoiding contact, he chose to use his shoulder and upper arm to charge illegally into the upper back of his opponent. As a result the No 8 was thrown forwards and upward, his neck jerked violently backwards due to being utterly unprepared for the collision. This could have resulted in serious injury being caused; thankfully it was not.

## DECISION

Breach admitted  Proven  Not proven  Other disposal (please state below)

## SANCTIONING PROCESS

### ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 7.8.32 (a)-(b)
<span style="color: red;">PLEASE TICK APPROPRIATE BOX</span> Intentional/deliberate <input checked="" type="checkbox"/> Reckless <input type="checkbox"/>
State reasons
This was a deliberate and forceful blow to the upper back of a vulnerable player.
Gravity of player’s actions – R 7.8.32 (c)
This was a serious incident of on field, off the ball, foul play. A charge with the shoulder / upper arm to the back of a vulnerable opponent causing his neck to jerk backwards in a violent whiplash movement with him having to leave the field for a HIA as a result.
Nature of actions – R 7.8.32 (d)
A forceful and deliberate blow with the shoulder / upper arm to the upper back of an opponent.
Existence of provocation – R 7.8.32 (e)
None
Whether player retaliated – R 7.8.32 (f)
N/A
Self-defence – R 7.8.32 (g)
N/A
Effect on victim – R 7.8.32 (h)
The victim left the field for 6 minutes for a Head Impact Assessment. He then rejoined play and completed the match.
Effect on match – R 7.8.32 (i)
Montpellier had to play with a replacement for 6 minutes. Glasgow played with 14 men for ten minutes, during which time the momentum of the game moved in favour of the opponents and they went on to lose the game.
Vulnerability of victim – R 7.8.32 (j)
The Montpellier No 8 was vulnerable. He could not see, and would have no reason to expect, the collision coming. He was thrown forward and his neck whiplashed backwards, violently, as a result.
Level of participation/premeditation – R 7.8.32 (k)
Whilst we accept this resulted from a "rush of blood to the head"; to a limited degree this was premeditated. Most on field foul play is the result of a fleeting poor decision such as this.
Conduct completed/attempted – R 7.8.32 (l)
This was a completed action.
Other features of player’s conduct – R 7.8.32 (m)
N/A

**ASSESSMENT OF SERIOUSNESS CONTINUED**

Entry point					
<u>Top end*</u>	<u>Weeks</u>	<u>Mid-range</u> 6	<u>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
The panel considered whether this could well be a case for a Top End entry point, but on balance of probabilities felt that Mid Range most fairly reflected the relevant features of the offending. The significant aggravating features were the high degree of force used and the vulnerability of the victim. Had the No 8 sustained any injury the panel may well have found this to merit a TE entry point.

**ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS**

Player's status as an offender of the Laws of the Game – R 7.8.34 (a)
The player was treated as of good character; he having only two previous yellow cards upon his record.
Need for deterrence – R 7.8.34 (b)
N/A
Any other off-field aggravating factors – R 7.8.34 (c)
N/A

Number of additional weeks:

**RELEVANT OFF-FIELD MITIGATING FACTORS**

Acknowledgement of guilt and timing – R 7.8.35(a)	Player’s disciplinary record/good character – R7.8.35 (b)
Whilst the Player promptly acknowledged that his actions merited a red card, the panel did not accept his account as to the degree of culpability. As such his "credit" for accepting the citing was diminished.	Treated as of good character.
Youth and inexperience of player – R 7.8.35 (c)	Conduct prior to and at hearing – R 7.8.35 (d)
The player has two caps for Scotland and 14 professional games for Glasgow Warriors. He is an experienced, professional, rugby player.	Exemplary.
Remorse and timing of remorse – R 7.8.35 (e)	Other off-field mitigation – R 7.8.35 (f)
The player offered his "sincere apologies" within his response to the citing report. The panel accepted he made endeavors, albeit unsuccessfully, to apologise to his opponent on the day.	None.

Number of weeks deducted:

Summary of reason for number of weeks deducted:

The panel were not able to afford Mr Turner the full 50% credit given his unrealistic stance during the hearing that this contact was reckless and unavoidable.

**SANCTION**

**NOTE:** PLAYERS ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – R 7.2.5

Total sanction	4 Weeks	Sending off sufficient <input type="checkbox"/>
Sanction commences	10.12.17	
Sanction concludes	Midnight on the 7.1.18	
Free to play	From midnight on the 7.1.18	

Signature (JO or Chairman)	<b>Daniel White</b>	Date	<b>14.12.17</b>
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**NOTE:** YOU HAVE THE RIGHT OF APPEAL AGAINST THIS DECISION AS SET OUT IN REGULATION 8.1 AND 8.2 OF THE EPCR DISCIPLINARY REGULATIONS. YOUR ATTENTION IS SPECIFICALLY DRAWN TO THE TIME LIMIT AND DIRECTIONS/REQUIREMENTS RELATING TO AN APPEAL SET OUT IN REGULATION 8.2.1 TO 8.2.4 OF THE REGULATIONS