

**DISCIPLINARY DECISION**



Match	Ulster Rugby v Isuzu Southern Kings		
Player's Club	Isuzu Southern Kings	Competition	Guinness PRO14
Date of match	23/03/2019	Match venue	Kingspan Stadium
Rules to apply	Guinness PRO14 Disciplinary Rules		

**PARTICULARS OF OFFENCE**

Player's surname	Kruger		
Forename(s)	Tertius		
Referee Name	Lloyd Linton	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted
Offence	Law 9.13	SELECT:	Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/>  If "Other" selected, please specify:
Summary of Sanction	[insert] weeks OR No Sanction [delete as appropriate]		

**HEARING DETAILS**

Hearing date	28/03/2019	Hearing venue	Parliament House, Edinburgh
Chairman/JO	Roddy Dunlop QC		
Other Members of Disciplinary Committee	Beth Dickens Robert Milligan QC		
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)	Adv. Adrian Montzinger	Disciplinary Officer and/or other attendees	Martin Malone (Tournament Executive)
List of documents/materials provided to Player in advance of hearing	Hawk-Eye Footage Letter notifying the Player of complaint and hearing Player's response to Standing Directions Player Statement from Robert Balcoune, Ulster Rugby Medical Statement from Dr Michael Webb, Medical Doctor Ulster Rugby Referee's Report Assistant Referee 1 Report Assistant Referee 2 Report TMO's Reports		

**SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE’S REPORT/MATCH FOOTAGE**

Player was issued with a red card following intervention of TMO. The match officials were of the view that the Player had committed a dangerous “no arms” tackle, with contact to the head of Ulster 14.

The video footage is clear. Ulster 14 breaks from the Ulster 22. The Player steps in to be able to tackle. U14 passes the ball to his right. The Player stands his ground, and his head clearly turns to follow the path of the ball. He makes no attempt to effect a tackle. Having passed the ball, U14 loses his footing and slips, falling towards the Player. U14’s head strikes the shoulder of the player.

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

The match officials were unanimous that this was a red card.

U14 said “I was carrying the ball and as I offloaded it my head collided with his shoulder”.

**SUMMARY OF PLAYER’S EVIDENCE**

The Player’s evidence was entirely consistent with what is seen in the video: he stands his ground; does not attempt to make a tackle; and is then struck by U14 who slips and falls into him.

**FINDINGS OF FACT**

The Committee was unanimously of the view that there was no act of foul play. The position of the Player’s head at the time of collision is entirely consistent with his evidence that U14 slipped and fell into him. The Player stood his ground but had turned to watch the flight of the ball which had been offloaded by U14. The Player made no attempt to effect a tackle or indeed to interact with U14 in any way. U14 clearly loses his footing after the offload, slips and falls into the Player. This is corroborated by the statement of U14.

In the view of the Committee, this was a rugby collision which did not involve any act of foul play by the Player. The Committee was unable to identify anything done by the Player that either amounted to a contravention of the laws of the game, or contributed to the collision – other than standing his ground, which he was entitled to do.

In these circumstances, the red card is rescinded.

**DECISION**

Breach admitted <input type="checkbox"/>	Proven <input type="checkbox"/>	Not proven <input checked="" 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 type="checkbox"/>
State Reasons
Gravity of player’s actions – R 17.19.2(c) (or equivalent Tournament rule)
Nature of actions – R 17.19.2(d) (or equivalent Tournament rule)
Existence of provocation – R 17.19.2(e) (or equivalent Tournament rule)
Whether player retaliated – R 17.19.2(f) (or equivalent Tournament rule)
Self-defence – R 17.19.2(g) (or equivalent Tournament rule)
Effect on victim – R 17.19.2(h) (or equivalent Tournament rule)
Effect on match – R 17.19.2(i) (or equivalent Tournament rule)
Vulnerability of victim – R 17.19.2(j) (or equivalent Tournament rule)
Level of participation/premeditation – R 17.19.2(k) (or equivalent Tournament rule)
Conduct completed/attempted – R 17.19.2(l) (or equivalent Tournament rule)

Other features of player's conduct – R 17.19.2(m) (or equivalent Tournament rule)

**ASSESSMENT OF SERIOUSNESS CONTINUED**

Entry point			
<u>Top end*</u>	<u>Mid-range</u>	<u>Low-end</u>	<u>Weeks</u>
<u>Weeks</u>	<u>Weeks</u>	<input type="checkbox"/>	
<input 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)
Need for deterrence – R 17.19.4(b) (or equivalent Tournament rule)
Any other off-field aggravating factors – R 17.19.4(c) (or equivalent Tournament rule)

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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)
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)
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)

Number of weeks deducted:

Summary of reason for number of weeks deducted:
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**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	[insert]	Sending off sufficient <input type="checkbox"/>
Sanction commences		
Sanction concludes		

Matches/tournaments included in sanction	
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Costs	
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Signature (JO or Chairman)	_____	Date	_____
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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)

[Standard Appeal Directions to appear on this page]