

DISCIPLINARY DECISION



Match	Nor'Westers at Saracens		
Competition	ALBERTA CUP		
Date of match	August 10, 2024	Match venue	Calgary Rugby Park 2
Rules to apply	Regulation 17 World Rugby Handbook;		

PARTICULARS OF OFFENCE			
Player's surname	Crowell	Date of birth	
Forename(s)	Grant		
Player's Club	Calgary Saracens		
Referee Name	Colin Brown Haig Allalemdjian (AR)	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Offence	9.12 A player must not physically abuse anyone (punching or striking with the hand, arm, elbow, or shoulder.	SELECT: <input checked="" type="checkbox"/> Red Card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	
Summary of Sanction			

HEARING DETAILS			
Hearing date	August 23, 2024	Hearing venue	Calgary Alberta (via teams)
Chairman/DO	John McDonald		
Other Members of Disciplinary Committee			
Appearance Player	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Appearance Club	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Player's Representative(s)	Ben De Gusman Rob Amey		
List of documents/materials provided to Player in advance of hearing	Match Officials Sending Off Report Assistant Referee's Sending Off Report Video footage from the match https://app.veo.co/matches/20240810-calgary-saracens-vs-norwesters-550aa8d7/		

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

Summary of the Essential Elements of the Report of Colin Brown:

A ruck formed and the Saracens number 8 was counter rucking. Nor Westers maintained possession of the ball and passed it out to the backline. Once the ball left the ruck the Saracens number 8 struck the Nor'Westers player with a closed fist twice in the back. Nor Westers did not retaliate. Confirmed with the AR the version of events and he corroborated the above.

Summary of the Essential Elements of the Report of Haigh Allalemdjian:

During a ruck, Saracens No.8 objected to being held within the ruck via a fair bind from a Nor'westers forward. After stepping back out of the ruck, Saracens No.8 punched the back of the Nor'westers forward that held him in the ruck twice with a closed fist. The Nor'wester forwards didn't retaliate and appealed to me on the sideline.

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

At minute 34:24 Mr. Crowell, while bound with NW#19 delivers a blow which may have connected with the head of the victim player. However the video is inconclusive on that point. NW#19, Once unbound he follows up with a punch to the back of NW#19 prior to giving him a shove.





SUMMARY OF PLAYER'S EVIDENCE

I received the following written submissions from the Player:

During the game on Aug 10th at the 34.21-minute mark I was in a ruck being choked and held in restraint by my neck and losing my ability to breath.

Under dangerous play in the world rugby laws:

1. Dangerous play in a ruck or maul.
 1. A player must not charge into a ruck or maul. Charging includes any contact made without binding onto another player in the ruck or maul.
 2. A player must not make contact with an opponent above the line of the shoulders.

I was trying to break free and started to panic, once I broke free, I was frustrated that he was on my neck, I did shove him with my open left hand on the numbers. At 34.25 you can see I restrained myself from striking with my right hand. At 34.26 you can clearly see me shove him down with an open left hand.

The actions I took might not have been the right decision in the heat of the game and I was also given a red card sitting for 45 minutes for my actions. I do not think a 7-week ban is justified.





FINDINGS OF FACT

Based on the match official's report, the report of the AR, and the submissions of the Player. I make the following findings of fact.

Mr. Crowell did strike another player; he contends the strikes were made with an open hand and not a closed fist. It is irrelevant if the strike was with a closed fist, or an open hand, striking another player is always illegal.

I am left with significant doubt with respect to which part of the victim players body was struck, as a result I cannot find that there was a blow to the head.

DECISION

Breach admitted

Proven Not Proven Other disposal (please state)

SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 17.18.1(a)-(b) (or equivalent Tournament rule)
<input checked="" type="checkbox"/> Intentional <input type="checkbox"/> Reckless
State Reasons
There was no rugby reason for the player to punch any other player.
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
The conduct was intentional, and was with low to moderate force.
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
The Victim player appeared to have the Player in a headlock, the Player was provoked.
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
This is by the players own admission that he retaliated to the headlock.
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
While the first strike may have been in self-defence, I am of the view that the second and third strike were not made in self defence and were while the player was on his hands and feet.
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
No visible effect on the victim player.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
Player was sent off with approximately 45 minutes to play, his team played short for the better part of one half of rugby.

Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
The victim player was in a vulnerable position, two of the blows came from behind.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
The player fully participated in delivering the blows, however they were not premeditated.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
Conduct was completed.
Other features of player’s conduct – R 17.18.1(l) (or equivalent Tournament rule)
N/A

ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point					
<u>Top end*</u>	<u>Weeks/Matches</u>	<u>Mid-range</u>	<u>Weeks/Matches</u>	<u>Low-end</u>	<u>Weeks/Matches</u>
<input checked="" type="checkbox"/>	<u>2</u>	<input type="checkbox"/>		<input type="checkbox"/>	Click Here For #

*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 17.18.1(a), 17.18.1(g), and 17.18.1(h) or the equivalent provisions within the Tournament Rules referred to above.

Reasons for selecting Entry Point above Top End
The actions were intentional, however there is no element of premeditation, nor any visible injury to the victim player, and I am not prepared to enter above the low point.

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – R 17.19.1(a) (or equivalent Tournament rule)	Player’s disciplinary record – R 17.19.1(b) (or equivalent Tournament rule)
The player acknowledges in his written submissions that his decisions may not have been the best in the heat of the game. His submissions however focus on the alleged foul play of the victim player.	The Player has a recent Sanction for foul play (punching) in 2022, which militates away from mitigations.
Youth and/or inexperience of player – R 17.19.1(c) (or equivalent Tournament rule)	Conduct prior to and at hearing – R 17.19.1(d) (or equivalent Tournament rule)
Player is an experienced player, who plays multiple seasons in multiple jurisdictions and has international caps with Canada Selects.	Conduct at the hearing is without issue.
Remorse and timing of remorse – R 17.19.1(e) (or equivalent Tournament rule)	Other off-field mitigation – R 17.19.1(f) (or equivalent Tournament rule)
Player does not seem remorseful and suggests his actions are justified.	N/A

Number of weeks /matches deducted: 0

Summary of reason for number of weeks/matches deducted:

As a result of the players disciplinary history, and his focus on the actions of the victim player mitigate away from mitigation, as a result I find that mitigation is not appropriate in the circumstances.

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player’s status as an offender of the Laws of the Game – R 17.20.1(a) (or equivalent Tournament rule)
Player received a red card in August of 2022 for punching, he was sanctioned to 9 weeks expressed as matches.
Need for deterrence – R 17.20.1(b) (or equivalent Tournament rule)
N/A
Any other off-field aggravating factors – R 17.20.1(c) (or equivalent Tournament rule)
N/A

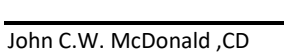
Number of additional weeks/matches: 1

SANCTION

NOTE: PLAYERS ORDERED OFF OR CITED BY A CITING COMMISSIONER ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – R 17.12.5(f) / 17.13.7 (or equivalent Tournament rule)

Total sanction	3 Weeks/Games	<input type="checkbox"/> Sending off sufficient
Sanction commences	August 11, 2024	
Sanction concludes	September 9, 2024 or sooner if the player provides evidence of qualifying matches missed.	
Matches/tournaments included in sanction	August 17, 2024, v Strathcona Druids August 24, 2024, v the Calgary Hornets September 9, 2024, v the Canucks	

Costs	N/A
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Signature (DO or Chairman)	 John C.W. McDonald ,CD	Date	August 23, 2024
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NOTE: Should the Player or the club wish to appeal this sanction they may do so in accordance with World Rugby Regulation 17, such appeal must be lodged with the appeal fee to the Calgary Rugby Union within **48 hours** of this decision.