



Decision Date: August 22, 2024
Hearing Date: August 20, 2024

Citation:

IN THE MATTER OF a team citing alleging foul play by the Calgary Hornets' #20, Grace Campbell.

REASONS FOR DECISION OF THE DISCIPLINE OFFICER SITTING ALONE

BEFORE:

Clinton Slogrove sitting as sole adjudicator:

- 1) These reasons relate to an allegation of Foul Play made in a Citing Report filed by the St Albert Rugby Football Club (**SARFC**) on August 8, 2024 arising out of the match played between the SARFC and the Calgary Hornets (**Hornets**) played on July 13, 2024 at the Calgary Rugby Union (CRU) fields in Calgary Alberta.
- 2) The citing was issued as a "Team Citing" pursuant to s.17.10.8 of World Rugby Regulation 17.
- 3) The Citing Report relates to Hornets Number 20, Grace Campbell (the Player) and cites various grounds for citing the Player, including:
 - a. Breach of Law 9.11: a player must not do anything that is reckless of dangerous to others;
 - b. Breach of Law 9.12: a player must not verbally abuse anyone;
 - c. Breach of Law 9.18: A Player must not lift an opponent off of the ground and drop or drive that player so that their head and/or upper body make contact with the ground; and
 - d. Breach of Law 9.20: A player must not make contact with an opponent above the line of the shoulders.
- 4) I have reviewed the Citing Report together with the various statements from both teams together with photographs provided by Mr Ron LeBlanc.

Regulation 17 and the Team Citing Procedure

- 5) The CRU adopts the World Rugby Discipline Process and accordingly follows Regulation 17: Discipline Foul Play. Regulation 17.10.8 deals with matches where no Citing Commissioner is appointed and provides:

"17.10.8 For Matches where, in accordance with Regulation 17.7.2 or 17.7.6, it is not reasonably practicable for a Citing Commissioner to be appointed, the following "team citing" procedures shall apply:

 - (a)** Each team participating in a Match, or any of its authorised officials, or its Union, may cite:
 - (i)** a Player(s) for an act(s) of alleged Foul Play committed during that Match provided that such act(s) have not been detected by the Match Officials;
 - (ii)** a Player for more than one incident of alleged Foul Play in the same Match; and
 - (iii)** more than one Player in any Match.

(b) Unions and Tournament Organisers shall put in place procedures for team citing which accord with the following:

(i) citings by teams or their Unions shall be in writing and sent by an authorised member of the Union or management of the team to the nominated officer of the Host Union or Tournament Organiser responsible for the Match in which the incident that is the subject of the citing complaint occurred;

(ii) such citing, to be effective, must be made as soon as practicable and in any event no later than 48 hours of the conclusion of the Match in which the Foul Play is alleged to have occurred (noting that Tournament Organisers may set shorter citing deadlines if practicable);

(iii) the responsibility for obtaining information and reports in relation to the citing shall rest with the Union or team management making the citing complaint. The Union or team management shall liaise with the Host Union or Tournament Organiser (or its/their nominated officer) to ensure that relevant information and reports are circulated to the appropriate parties in advance of the hearing;

(iv) the independent disciplinary body of the Union or Tournament Organiser having jurisdiction over the Match, shall consider the citing complaint and any other evidence it deems appropriate including via audio and/or audio-visual means, oral (witness), film or photographic evidence. The Player cited shall have the right to be heard, to be represented and to produce evidence; and

(v) at any hearing of a citing complaint a representative of the citing team or Union shall ordinarily be in attendance, failing which the citing complaint may be dismissed. If an act(s) of Foul Play is found to have been committed the independent disciplinary body of the Union or Tournament Organiser having jurisdiction over the Match shall take the appropriate action and shall apply World Rugby's Sanctions for Foul Play set out in Appendix 1, by following the core sanctioning principles set out in Regulations 17.17 to 17.21."

- 6) During a related hearing regarding a Team Citing filed by the Hornets as against the SARFC Head Coach, the SARFC made it apparent that they were unaware of the Team Citing Procedure. This hearing took place on July 26, 2024, 13 days after the match. During this hearing the SARFC Head Coach made certain allegations regarding the conduct of various Hornets players. I noted, that save the Send Off report received in regard to Hornets #18, no other Hornets' Players were the subject of further disciplinary procedures following the match. I recommended that the SARFC should file a Citing Report and, together with the Citing Report, it should make an application for condonation for the late filing of the Citing Report on the basis that the SARFC was unaware of the process adopted by the CRU with regards to Team Citings.
- 7) On August 8, 2024, a *further* 13 days following the hearing of the related Citing Report (26 days after the match), the SARFC filed their Citing Report. In the Citing Report the SARFC asserts I made the representation that "a late citation is acceptable knowing that the ERU (Edmonton Rugby Union) does not provide a [citing] policy for any of its Clubs." That is not accurate.
- 8) Bearing in mind the ordinary time periods within which a Citing Report is to be filed under Regulation 17.10.8 [48 hours] it is simply not acceptable that the SARFC would wait a further 13 days from being advised of the procedure, to give effect to its Team Citing. SARFC provides no justification for this delay. It appears that the SARFC has waited until all other Citing Report hearings, and Send Off Report hearings had been concluded and decisions rendered before advancing their Citing Report.
- 9) In the circumstances, I cannot condone the late filing of the Citing Report by the SARFC and the SARFC Team Citing is dismissed on procedural grounds alone.

Merits Hearing

- 10) In the event that I am wrong to refuse the late filing, on August 20, 2024 a hearing was conducted with the Player to assess the merits of the Citing Report. This hearing was attended by the Player and a Hornets Club representative, Ms. Laurisa Robertson.
- 11) In advance of the hearing, I had written to the SARFC Representative asking for additional evidence regarding the incident at the ruck which forms the basis of at least two of the cited charges. In accordance with Regulation 17.10.8(b)(iii) *"the responsibility for obtaining information and reports in relation to the citing shall rest with the Union or team management making the citing complaint."* I was advised by the SARFC that aside from the Citing Report and statements filed in respect of all the other matters arising from the same match and incident, there was no new evidence to consider.
- 12) The Citing Report alleges three separate infringements which can be summarised as follows:
- a. Infringements regarding the Player's conduct at the ruck including reckless and dangerous play; making contact with a player's head and lifting an opponent off of the ground and dropping or driving that player so that their head and/or upper body make contact with the ground;
 - b. Infringements immediately after the play had stopped, namely the verbal abuse and threats; and lastly
 - c. Infringements after the match, namely allegations that the Player sought to harass the SARFC and its player on online platforms.
- 13) I cannot, on a balance of probabilities, find that any of these allegations have any merit.

14) As to the Player's conduct in the ruck

- a. Certain allegations were made regarding the Player's conduct in the ruck as being reckless and dangerous; grabbing the SARFC #15's head; and putting her hand in the SARFC player's mouth.
- b. The Send Off Report filed following the match and which related to the ruck and the ensuing altercation states that the Assistant Referee had a "clear and unobstructed" view of the ruck in question. The nature of the conduct stated in the Citing Report would have been observed by the Match Officials (in particular the Assistant Referee). His view was that until the altercation, which occurred after the ruck, the game had been played within the bounds of the laws.
- c. Accordingly, in the absence of further or better evidence to the contrary, I cannot find that the on field finding of the Match Officials was wrong and that the Player's conduct at the ruck was within the bounds of the Laws.

15) As to the allegations regarding the Player's verbal abuse

- a. The Citing report notes that the Player walked "through the St. Albert Bench screaming, 'I am going to kill someone!'".
- b. At the hearing, the Player admitted to making this statement but denied it was directed at the SARFC bench or even a threat at all.
- c. Providing context for the statement, the Player explained that following the ruck in which her finger had been bitten and the subsequent fight which resulted in the Player being punched by multiple SARFC players, the Player had made a personal decision to remove herself from the match because she was so upset. The Hornets coach, thinking the Player had assumed she had received a card and was leaving the field, approached the Player to get her to return to the field of play. It was these efforts that prompted the statement by the

Player, to her own coach, that she was not going to return to the field of play because she was so upset.

- d. In the context, I cannot find that the Player made any threats to the SARFC players or anyone else and was simply noting, to her coach, how upset (and indeed angry) she was and the reason she was removing herself from the game so as not to react negatively or otherwise escalate the situation.

16) As to the allegation that the Player used social media platforms to further escalate the situation and actively posted comments to social media in efforts to harass the SARFC and/or the SARFC player involved

- a. The Citing Report suggests that the Player took active steps to publicly post disparaging comments regarding the SARFC player involved and that these comments amount to harassment and is a violation of the Code of Conduct.
- b. I questioned the Player about the “PintsandScrums” Instagram account and she confirmed that it is not the Player’s account, nor does she have the ability to post to that account. Indeed, the evidence provided by the SARFC in relation to these allegations of harassment makes that clear. The screenshot provided with the statement from the SARFC’s Kendall Dewitt clearly records the PintsandScrums account administrator as someone separate and unrelated to the Player. Further the message was asking Ms. Dewitt for comment and was not a public post, but rather a private message exchanged with the SARFC player and the account owner.
- c. The Player confirmed that she knows who the administrator of the account is (an individual named ‘Dan’ based in Victoria) but further advised that it was he who had reached out to and contacted her after he had heard and/or seen from elsewhere that the altercation had occurred.
- d. This accords with the evidence of Ms. K. Dewitt who advised that she was aware of at least one person who had shared video evidence of the altercation on other social media platforms but was unable to procure the footage for these hearings.
- e. It was not the Player taking any active steps to make disparaging comments about the SARFC or its player, but rather, the PintsandScrums account holder reaching out to both players involved for comment before making any public posts about the incident. I have reviewed the PintsandScrums page and can find no post relating to either team and the incident arising from the match.
- f. In this regard, I can make no finding that there was any action constituting harassment/abuse by the Player or that the Player was in any way responsible for the acts of the PintsandScrums account holder.

DISPOSITION:

- 17) The Team Citing issued by the SARFC on August 8, 2024 is dismissed as being out of time and ineffective.
- 18) In the event that I am wrong on that technical point, I further can make no finding of foul play by the Player during the ruck and the Match Officials’ decision to allow play to continue (until the foul play by the SARFC #10 and #11) remains the finding of fact. As to allegations of verbal abuse immediately after the ruck, the Player removed herself from the match and, in an emotional exchange with her own coach, uttered the words which the SARFC team heard and incorrectly interpreted as being directed at them and amounting to abuse/threats. It is evident, from the SARFC’s own evidence, that the Player was not the “PintsandScrums” account holder and took no steps to escalate the incident on social media and no acts of harassment can be found to have been carried out at all, let alone by the Player.

Clinton Slogrove

DO Name