

DISCIPLINARY DECISION



Match	Lethbridge Rugby Club at Calgary Canucks		
Competition	MDEV		
Date of match	June 17, 2022	Match venue	Calgary Rugby Park
Rules to apply	Regulation 17 World Rugby Handbook;		

PARTICULARS OF OFFENCE			
Player's surname	Azimi	Date of birth	
Forename(s)	Navid		
Player's Club	Lethbridge Rugby Club		
Referee Name	Connar Coonan	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Offence	9.12 A Player must not physically abuse anyone	SELECT: <input checked="" type="checkbox"/> Red Card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	
Summary of Sanction	17 weeks (expressed at matches)		

HEARING DETAILS			
Hearing date	July 4, 2023	Hearing venue	Calgary, Alberta by desktop
Chairman/DO	John McDonald		
Other Members of Disciplinary Committee			
Appearance Player	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Appearance Club	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Player's Representative(s)	Rory McKeown		
List of documents/materials provided to Player in advance of hearing	Sending off report Citing Report Video footage https://www.youtube.com/watch?v=pu5cxtSQblk Player's submission through Rory McKeown Clubs Submission through Rory McKeown		

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

I received the match officials sending off report:

"Player 23 from Lethbridge ran into a group of players and began repeatedly punching a Canucks player. Player 23 did not stop with attempts at verbal or physical restraint. The ball had been dead for 1-2min and the primary incident had calmed. Details on the primary incident in which Player 23 and Player 1 were directly involved: MO did not directly observe the incident start. It was reported to MO the incident is on video and witnesses to the incident were able to identify Player 1 who struck a Canucks player causing unconsciousness and EMS transport. During the game Player 1 was involved in obstructive play and the earlier scuffle. He had already caused two penalties against Lethbridge. MO had warned Player 1 and Lethbridge captain that Player 1 would be sent off if he caused another penalty. MO observed the struck player dazed and confused on the ground at the time and in the vicinity of where Player 23 was fighting in the second incident."

I received the following Citing Report:

"The Canucks submit the following citations to the Calgary Rugby Union in relation to a match between the Lethbridge Rugby Club and the Canucks on June 17th 2023.

1:00:57 L1 who we understand to be Navid Azimi approaches the Melee that ensued following the punches referenced at 1:00:50 and punches a Canucks player from behind requiring the Canucks player to be transported to hospital where he received stitches and a concussion diagnosis."





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

The victim player was rendered unconscious and was transported to hospital by ambulance, he required at least 12 stitches and was diagnosed with severe concussion. The player remains under supervised treatment for concussion. His doctor is unable to predict when or if the victim player will be able to return to play.

SUMMARY OF PLAYER'S EVIDENCE

I received the following submission from Ryan McKeown, player coach of the Lethbridge Rugby Club.

"Hey Rory, here are my refined comments, feel free to copy and paste and send to whoever is involved in the process. As a player, coach, volunteer, long term rugby supporter.. the last several years of sportsmanship decline have made me very much frustrated with the state of rugby in our area. Rugby isn't even at the heart of our competition these days, dropping players to lower divisions to win is more important than developing, instigating conflicts to have players removed from the game for retaliating is more important than beating that player in rugby.

My comments below include timestamps in the video provided and while i am completely opposed to punching and foul play of sorts in rugby, most of our players lose control and they are doing it in reaction to things happening to them on field. Right or wrong, almost everything i saw was reactionary and while i express self control to our players weekly, i can at least view these citations knowing our players were mostly provoked into conflict and unfortunately took the bait and lost the spirit of rugby on the way - again most of these instances i would react badly to as well, but i have yet to throw a punch in my rugby career and will hopefully retire before it happens.

Before i start, i want to express how apprehensive i was friday when i checked who our ref was. I knew it was going to be a chippy game that got out of control because that referee does not deescalate situations when required. Every memory i have with him reffing is a bad one which is unfortunate cause i do think he is a decent guy, but our refs need to control games and while he refs most aspects of the game well, i do feel his vision is one sided on occasion and he doesnt know how to take control of a game - wish it wasnt necessary but it is. Every team says the same thing - play to the ref - and that

is our way of dealing with all the different refing styles we see. Unfortunately - if the ref isnt willing to reign in chippy and foul play, it will get worse and worse because that is how people operate. Miss all the knock-ons and forward passes you want, but when issues (safety or potential for escalation) are brought to your attention you need to make a point of it by throwing early cards or threatening to do so if it is brought to your attention and you don't see it. " i didnt see anything" is a terrible way to respond when both captains and myself acknowledge multiple punches being [thrown.in](#) the first half - the second half is a product of that missed opportunity to make an example and take control of the game.

In recent years i have asked referees to throw a yellow at both teams or even just ours if i saw something and they didn't. Playing as a captain i have kicked my own players off the field either by having them carded or benched for any sort of instigative behavior or punches thrown if the ref happened to miss them.

Every person who threw punches and instigated throughout the game in various ways was responsible for the end result. I said this to the Canucks 2 and 3 in front of our captain and ref after the game and was met with "why are you even on the field, get the fuck out of here" while their 3 was walking towards me trying to intimidate me. I am a calm person and i am not afraid of someone barking at me, but that type of instigative behavior leads to all this garbage that ruins the game.

They said their player was "sucker punched and it isn't ok" to which i responded every punch is a sucker a punch because punching isnt a part of the game - when i said punching anyone at any point in rugby isnt good, one responded with thats hard rugby (this is the number 2, whose idea of hard rugby is instigating conflict in rucks, head blows in rucks, stomping players and attacking defenceless players.... the other canuck (#3) responded as i mentioned above. I don't disagree that someone was sucker punched, but the same guy who was mad that they were sucker punched, is the same guy that threw multiple uppercuts to our player with his jersey over his head - luckily the video saw this otherwise Lethbridge would look wrong in every aspect.

All i ask is that the Canucks organization share their blame in what happened. A few of our players throwing punches isnt something i will defend, but i can tell you people are more likely to do that when punches ARE NOT dealt with earlier in the game when it is brought to the referee's attention., When players receive cheap shots and they feel the referee is not protecting them, they will protect themselves and each other.

some timestamps from the video and what happened and you can see that while Lethbridge players threw punches and should be responsible for that, we need to address instigative behavior or these things will continue. As it stands, many people got away with cheap shots and punches, some of which are on camera and that isn't ok.

As Rory has said, some players are targeted consistently and when they take shot after shot they will eventually lash out. Our 23 has been targeted with provocation throughout the season one of which is documented in a red card citing earlier in the year - this IS a pattern - some players are being targeted with cheap play and provocations to have them react and sent off.

We had two tries called back which obviously adds to tempers flaring whether they are legitimate or not. It just adds to the feeling that our players were not being protected and that is when people protect themselves or just flat out snap.

At this point the referee either saw, ignored, or missed 4 instances of varying degrees that are by nature instigations or straight up strikes against our players. I thanked our players after the game for keeping their cool up until this point but it was also clear that the referee was not going to protect any of our players and unfortunately i knew the game was going to come off the rails if the ref didnt sort it out.

I brought the punches to his attention and was met with crickets even though both captains agreed on what happened. "I didnt see anything" just acknowledges that the ref isnt seeing the foul play and doesnt care to address it so of course it will escalate.

- our number 1 strikes one of their players who is standing overtop of our 23 who is on the ground. From the video we can clearly see that while there are several canuck players over top, they weren't doing anything malicious at that time (punches shortly before) - but with everything that had happened throughout the game and in the moments leading up - our player sees his teammate on the ground with 3 players overtop in the vicinity and felt the need to defend him. Once again i am not defending what happened, only stating that our players didn't randomly start throwing punches.

i am disappointed in how our players reacted at the end of the day, but much of what happened at the end of the game was a direct result of instigations and inflammatory behavior left unchecked by the referee. i have spoken to many players so far and reiterated that they need to do their best to maintain composure, but when i say that i am telling them to rely on the referee to do their job and keep control of the situation and keep them safe - but when their concerns are ignored i dont even know how to respond anymore. "

I recieved the following submission from Rory McKeown on the Player's behalf.

"LRC vs Canucks Navid:

From the first scrum of the game, Navid is being choked in the scrum by the Canucks tight head, this is brought forward multiple times to the MO which nothting is being done wrong:

At the final incident of the game, after a very chippy game with multiple infringements Navid sees mess on the ground surrounded by multiple people and believed his teammate to be in trouble and throws a punch resulting in a hospital trip for a player, Navid feels a great deal of remorse regarding the events and sent me this personally;

"I know what I did was wrong and I will man up to that but in my defense what I saw was and I swear on my life when I turned around I saw Mess on the ground when Canuck players over him and him getting punched,

I'm not going to sit back and watch my teammate get hit and we both know the referee wasn't going to do anything about it, I'm not that type of player that likes to play dirty and get into other players heads by throwing punches, hitting them late or any other dirty moves.

I apologize for what happened and I know it looks bad on the club and your reputation. Thank you again for sticking up for me and Mess. I really appreciate it."

FINDINGS OF FACT

I have reviewed the Match Official's Report, the Citing Report and the Players/Club's representation, and the video evidence <https://www.youtube.com/watch?v=pu5cxtSQblk>.

All affected parties were given an opportunity to give oral evidence but have chosen to provide written submissions only. I am satisfied that I can fairly adjudicate the matter on the basis of written representations and a review of the footage, which was conducted with the sound off as recommended by World Rugby Regulation 17.

I am not required to find that a thing did or did not happen to the Criminal Standard of beyond a reasonable doubt, as with all administrative tribunals the burden of proof standard is the Balance of Probabilities, that means that based on the preponderance of evidence, I must be more convinced than not that a thing happened, or did not.

I find that Navid Azimi did in fact physically abuse Callum Cuthbertson contrary to Law 9.12 A player shall not physically abuse anyone.

I find that following a melee that originated between L23 and C23 a number of players became involved in attempting to break up that conflict.

I find that in the act of breaking up, or attempting to the victim player lost his footing, and was regaining his feet when he was struck by L1.

I find that L1 approached a bundle of players, including L23 who was on the ground at that point, and it is clear from the video braced his body in a manner to provide maximum kinetic energy to his punch.

I find that L1 punched, with a swinging motion the victim player as he regained his feet.

I find that the victim player was especially vulnerable, he could not have seen, nor expected the punch which rendered him unconscious.

I find that the victim player was rendered unconscious, transported to hospital by ambulance, and received multiple stitches.

I find that the victim player has sustained a serious concussion and his eventual return to play is uncertain.

DECISION

Relevant Laws:

The player was cited under law 9.12 which states:

Law 9.12 A player must not physically or verbally abuse anyone physical abuse includes, but is not limited to, biting, punching, contact with the eye or the eye area, striking with any part of the arm, shoulder, head or knees, stamping, trampling, tripping or kicking.

I find that Navid Azimi did physically abuse Callum Cuthbertson by punching Mr. Cuthbertson in the head while in a vulnerable position.

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 Mr. Azimi to punch anyone let alone the victim player
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
A serious act of foul play, committed intentionally with the Players right fist striking the head of the victim player. The strike was delivered with significant force after the player loaded his body for maximum force and struck with a swinging motion often referred to as a “hay maker” causing the victim player to lose consciousness and sustained lacerations requiring stitches.
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
None.
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
None.
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
None.
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
The victim player was rendered unconscious and required emergency medical intervention including an ambulance, hospitalization and stitches. He remains under a concussion protocol and his return to play is uncertain at the time of this decision.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
Following the incident the MO, and both team captains agreed to end the game as a result of the on field violence. The match ended some 20 minutes into the second half.
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
The victim player had just been brought to ground and was attempting regain his feet, his head was exposed and unprotected. The strike would have been unexpected, nor anticipated and he was unable to defend or protect himself. He would not have been able to see the blow coming as it came from his right-hand side. The act was a gratuitous act of foul play and was unnecessary.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
L1 approached the melee from a distance and with intent, his body language makes it clear that he was eager to get into the fray. This was a premediated attack on whoever the first available victim would be.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
Completed
Other features of player’s conduct – R 17.18.1(l) (or equivalent Tournament rule)

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>20</u>	<input type="checkbox"/>	Click Here For #	<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 17.18.1(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
<p>An entry point of 20 weeks (expressed as matches) is required under the circumstances for the reasons which follow the high-end entry point of 10 matches is entirely unsuitable.</p> <p>While this incident is best described as a single punch the effect on the victim may prevent the victim player from ever again playing the sport of rugby. In 191025 RWC19 Disciplinary Decision Sebastian Vahaamahina, the panel opined “had Wales 6 sustained an injury then the entry point may have been significantly in excess of 10 weeks” In short I agree, in the matter before me I am left with a player, whose injuries may preclude his playing the sport again. In the circumstances, and taking into account all of the 17.9.2 factors, particularly my findings relating to factor (a to d) and (h) and (j) I find that an entry point of 20 weeks is warranted.</p>

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 admits that he struck the affected players, however he offered an excuse of defence of another which is not borne out by the video evidence.	The player has no disciplinary record to speak of.
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)
The player is an experienced rugby player having played in multiple jurisdictions throughout the world as a result I do not find any mitigation based on youth or inexperience.	Conduct prior to the hearing was appropriate given the circumstances.
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)
The player has exhibited extreme remorse	N/A

Number of weeks /matches deducted: 3

Summary of reason for number of weeks/matches deducted:

The player admits responsibility and professes remorse which I find to be genuine and sincere, he has no history as an offender of the game. I find that acceptance of responsibility and remorse as particularly mitigating, and under the circumstances reduce the sanction by 3 weeks.

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)
The player has no history as an offender of the game.
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

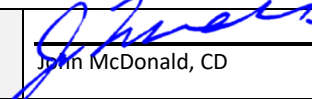
Number of additional weeks/matches: 0

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	17 Games	<input type="checkbox"/> Sending off sufficient
Sanction commences	July 11, 2023	
Sanction concludes	December 31, 2026 or such earlier date as ordered by the Judicial Officer after provision of satisfactory evidence from the Player of 17 qualifying games under Regulation 17.21 for this Sanction.	
Matches/tournaments included in sanction	The Player is to provide evidence as per Regulation 17.21	

Costs	N/A
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Signature (DO or Chairman)	 John McDonald, CD	Date	July 11, 2023
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NOTE: Should the Player or the club wish to appeal this sanction they may do so in accordance with the Rugby Alberta Appeals Policy found here https://sportlomo-userupload.s3.amazonaws.com/uploaded/galleries/14156_uploaded/c526b66af28f017556c1381ab492ecb88f4f9bb1.pdf

Within 10 days of the date of this decision.