

DISCIPLINARY DECISION



Match	CCIAC at Foothills Lions		
Competition	MDEV Regular Season		
Date of match	May 25, 2024	Match venue	Wylie Athletic Park
Rules to apply	Regulation 17 World Rugby Handbook;		

PARTICULARS OF OFFENCE			
Player's surname	Campbell	Date of birth	
Forename(s)	David		
Player's Club	CCIAC		
Referee Name	Bob Tell	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not Admitted
Offence	9.20b. A Player must not make contact with an opponent above the line of the shoulders.	SELECT: <input checked="" type="checkbox"/> Red Card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	
Summary of Sanction			

HEARING DETAILS			
Hearing date	May 29, 2024	Hearing venue	Calgary, Alberta by 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)	Player was self represented		
List of documents/materials provided to Player in advance of hearing	Sending off report		

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

I received the match officials sending off report:

#11 Irish was warned in first and 2nd halves for high tackles. During the second-half at the 16 minute mark into the game a ruck occurred on the Irish 22 meter line. Ball taken in by lions #11 attempted to jackal the ball but was counter rucked by lions player and #13. The player 11 was driven back. As he went backwards, he grasped around the neck of player number 13 lions. Both players went to ground in the Irish 22. Irish player remained with his arm around the neck of #13 and was applying a chokehold for three to four seconds until players intervened.

Players were separated tensions were high, level of danger in my opinion was high. A dangerous play, sanction was red card player number 11 and captain #1 called other both informed the player was to leave the field red card shown. Player exited towards sideline and was approached and mobbed by lions substitutes. When that was broken up both teams received warnings for misconduct. Huh

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

It does not appear from the available evidence that the Victim player was significantly injured as a result of the Alleged Conduct.

SUMMARY OF PLAYER'S EVIDENCE

The player gave evidence on his own behalf.

The player states that he was cleared out of the ruck while jackaling the ball, the player pushed him approx. 10 – 15m from the ruck.

The player further states that following the red card, he left the pitch immediately, and was attacked by one or more Lions Players.

The CCIAC gave club submissions in the person of Kevin Allsopp.

It is Mr. Allsopp's position that he was at the half on the side of the pitch where the ruck occurred, he says that Mr. Campbell was driven back 3 – 4M from the ruck and both players were rolling/wrestling on the ground. It is his view that the Match official's view was obstructed.

Mr. Allsopp goes on to say that as Mr. Campbell left the enclosure, he was attacked by one or more Lions player, and is surprised the situation did not turn into a "dust up"

Mr. Allsopp also goes on to say tensions were high throughout the match on both sides.

It is the consensus of both the player and the club that both players were wrestling on the ground.

FINDINGS OF FACT

I have reviewed the Match Official's Report, and the Players/Club's representations,

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 must also be alive to law 6, the Referee is the sole judge of fact and law during a match.

I find that Mr. Campbell was in fact legally "jackalling" the ball following a tackle. I further find that Mr. Campbell was cleaned out of the ruck and was driven back between 3 and 15m from the ruck.

In difference to the match official who was arguably closer to the break down and in reference to law 6, I must accept the referee's version of events as reported in absence of any concrete (video or photographic evidence to the contrary)

It is my decision that Mr. Campbell did in fact contact another player above the line of the shoulders and that such conduct is deserving of sanction.

DECISION

Relevant Laws:

The player was cited under law 9.20 which states:

Law 9.20b A player must not make contact with an opponent above the line of the shoulders.

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)

Intentional

Reckless

State Reasons

While I find there was no rugby reason for Mr. Campbell to grasp Mr. Labrenz around the neck as he was driven from the ruck, I do not find that Mr. Campbell intended to grasp Mr. Labrenz around the neck.

Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)

A serious act of foul play, as the victim player was grasped around or about the neck.

Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
Player was being “cleared out” of a ruck, he feels as though the victim player may have maintained the cleanout for far too long.
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
There is no evidence to suggest retaliation.
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
The Player was not acting in self-defence.
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
The victim player appeared to be uninjured.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
As the offence occurred at the 16-minute mark of the second half, the Irish played the remainder of the match one person short. The Lions scored an additional 10 points following the sending off.
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
Any event where the neck is grasped, and especially in a ruck is the victim player is considered to be especially vulnerable.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
There is no evidence to suggest premeditation.
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)
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 type="checkbox"/>		<input checked="" type="checkbox"/>	4	<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
An entry point of 4 weeks (expressed as matches) is required under the circumstances for the reasons which follow, this is the mid entry point for the offence of A player must not make contact with an opponent above the line of the shoulders. Rule 17 requires that “ Any act of foul play where the person committing the act of foul play makes contact with an opponent head and or neck , and that contact with the head and or neck warrants a red card, shall result in at least a mid-range sanction.

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 does not accept that he grasped a player above the line of the shoulders, however he admits that the players wrestled on the ground.	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.	Players conduct was more than satisfactory both prior to and at the hearing.
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)
N/A	As the Player was leaving the playing enclosure after being sent off, the Match Official reports he was “mobbed” by the Lions reserve players.

Number of weeks /matches deducted: 2

Summary of reason for number of weeks/matches deducted:
 The player was candid throughout the hearing. While the mobbing is of itself not necessarily mitigating it must be considered in the totality of the situation., Mr. Campbell does not have a history as an offender of the game. Pursuant to World Rugby Regulation 17, the maximum deduction for mitigation cannot exceed 50%

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

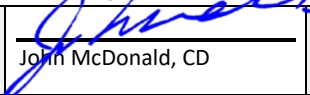
Number of additional weeks/matches: 0

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	2 weeks	<input type="checkbox"/> Sending off sufficient
Sanction commences	May 25, 2024	
Sanction concludes	June 10, 2024	
Matches/tournaments included in sanction	June 1, 2024, CCIAC v Saints June 7, 2024, Hornets v Irish	

Costs	N/A
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Signature (DO or Chairman)	 <hr style="border: 0; border-top: 1px solid black; margin: 0;"/> John McDonald, CD	Date	May 29, 2024
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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.