

# DISCIPLINARY DECISION



Match	Hornets v Canucks		
Competition	Calgary AWP Division		
Date of match	June 1, 2024	Match venue	CRU Pitch 1
Rules to apply	World Rugby: Law of the Game World Rugby: Regulation 17 – Discipline Foul Play		

PARTICULARS OF OFFENCE			
Player's surname	Shackley	Date of birth	09/05/2003
Forename(s)	Daisy		
Player's Union	Calgary Hornets RFC		
Referee Name	Kimberly Spiller	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not Admitted
Offence	Accumulation of Temporary Suspensions (2 yellow cards) [Law 9.29]  1st Yellow – foul play – Dangerous Tackle [Law 9.13]  2nd Yellow – team penalty, repeated infringement in defensive zone – off the feet at the ruck and playing the ball on the ground [Laws 15.11 and 15.15]	SELECT: <input type="checkbox"/> Red Card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other If "Other" selected, please specify:  Two temporary Suspensions in a single match.	
Summary of Sanction	No further sanction – on field Sending-Off sufficient in the circumstances.		

HEARING DETAILS			
Hearing date	June 5, 2024	Hearing venue	Calgary, Alberta
Chairman/JO	Clinton Slogrove		
Other Members of Disciplinary Committee	NA		
Appearance Player	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Appearance Union	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
Player's Representative(s)	Coach (Gert Robson)	Disciplinary Officer and/or other attendees	NA
List of documents/materials provided to Player in advance of hearing	<ul style="list-style-type: none"> <li>• Referee's Send-Off Report dated June 1, 2024</li> <li>• Email exchanges between Referee and John McDonald</li> <li>• Video clip of infraction resulting in second Temporary Suspension.</li> </ul>		

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

Hornet's #5 (Ms. Shackley or the Player) received two Temporary Suspensions [Law 9.29].

The first occurred for a high tackle carried out by Ms. Shackley [Law 9.13].

The second occurred after Ms. Shackley left her feet at the ruck [Law 15.11] and played the ball while on the ground [Law 5.15]. Both infractions warranted a penalty. Due to a series of repeated team infringements within the defensive territory, including this being Ms. Shackley's second penalty within the attack from the Canucks it warranted a Temporary Suspension. No prior warning had been given to the player, or the team regarding repeated infringements in the defensive zone.

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

Video evidence of the penalty resulting in the second Temporary Suspension shows Ms. Shackley going off her feet at the ruck and playing the ball on the ground.

## SUMMARY OF PLAYER'S EVIDENCE

Ms. Shackley did not admit that either offences merited the sanction of a Temporary Suspension.

In regards to the first Temporary Suspension it was Ms. Shackley's position that the first tackle was a double tackle but was not high.

In regards to the second Temporary Suspension it was Ms. Shackley's position that, while she did go off her feet and play the ball on the ground, she was unaware of a prior penalty she had incurred, she was also of the view that no prior team warning given to the Hornets for repeat infringements in the defensive zone. While she conceded it may have merited a penalty, in her view it did not warrant a Temporary Suspension.

## FINDINGS OF FACT

In the absence of any contrary evidence, I accept as fact, the position of the Referee that the infraction resulting in the first Temporary Suspension was for a high tackle by Ms. Shackley. I have no other evidence, save that the tackle occurred as a matter of fact and was completed.

Having reviewed the Send-Off Report and the footage of the infraction that resulted in the second Temporary Suspension, I accept as fact that Ms. Shackley did go off her feet at the ruck and attempted to play the ball while off her feet. From the video it is evident that Ms. Shackley makes a tackle, gets back to her feet to contest for the ball, is then pushed over by another Hornets player entering the breakdown and proceeds to play the ball while off her feet. In the absence of any evidence to the contrary, I accept as fact the position of the Referee that, while no prior warnings had been given to the Hornets as a team, that repeated infringements in the defensive zone merited a team sanction effected against to the offending player, which happened to be Ms. Shackley.

## 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 type="checkbox"/> Intentional <input type="checkbox"/> Reckless
State Reasons
In regards to the first Temporary Suspension – there is no evidence to suggest that Ms. Shackley intentionally carried out a high tackle.  In regards to the second Temporary Suspension – there is no evidence to suggest that Ms. Shackley intentionally went off her feet at the ruck. Ms. Shackley.
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
There is no suggestion that either incidents were particularly egregious.
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
There was no provocation.
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
There was no retaliation.
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
There was no self-defence.
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
It is unclear what, if any, effect the tackle which resulted in the first Temporary Suspension had on the tackled player. The Send-Off Report notes “no” to any players needing any medical treatment.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
There is no evidence that the infringement had any impact on the match overall.
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
There is no evidence to suggest the victim of the tackle which resulted in the first Temporary Suspension was particularly vulnerable. She was the ball carrier at the time and so would have anticipated a tackle.  There was no victim in the second incident.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
The tackle resulting in the first Temporary Suspension was a double tackle.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)

There is no evidence to suggest that the incident that resulted in the first temporary suspension was not a completed tackle.

Other features of player's conduct – R 17.18.1(l) (or equivalent Tournament rule)

The Send-Off report notes as "minor" the seriousness of the offence.

### 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"/>	Click Here For #	<input type="checkbox"/>	Click Here For #	<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

World Rugby Regulation 17, Appendix 4, [SANCTIONS GUIDANCE FOR ACCUMULATION OF TEMPORARY SUSPENSIONS AND/OR CITING COMMISSIONER WARNINGS] Section 1.0 "deliberately [gives] no guidance within the World Rugby sanctions table(s) to assist a Judicial Officer or Judicial Committee to determine the appropriate sanction in relation to accumulated Temporary Suspensions and/or Citing Commissioner Warnings."

Accordingly I have wide discretion in exercising my judgment on the appropriate sanction in the circumstances.

Having found that Ms. Shackley received two Temporary Suspensions, the first for a minor infraction and the second as a result of the team's repeated infractions, and having noted that the Send-Off Report notes that no team warning as given prior to the second infraction – I find that the on-field sanction is sufficient and no further sanction should be imposed.

**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 did not admit either incidents ought to have resulted in Temporary Suspension.	The Player has a clean disciplinary record.
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 a highly experienced player who has played rugby at high levels.	The Players conduct prior to and at the hearing was faultless.
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)
While the Player showed no remorse for the particular infringements, she did appear to be a good sportsperson who by and large played within the spirit of the game.	In argument in mitigation of sanction, Ms. Shackley’s coach submitted charter evidence on behalf of Ms. Shackley. Such evidence was to the effect that Ms. Shackley has played rugby to a very high level and has done really well in rugby and the entire time she’s played and the other players on the team look up to her and she does lead them by example and takes everybody under her wing and is just genuinely a really good person. She was devastated at receiving the second Temporary Suspension. She has a clean record and by and large has always played the game to the letter of the law.

Number of weeks /matches deducted: 1

Summary of reason for number of weeks/matches deducted:

Having found that the on-field sanction was sufficient and no further weeks ought to have been imposed, I find that even in the event that this is incorrect, the sanction would be reduced as a result of the player’s conduct and character, together with her clean disciplinary history and imposing further sanction would not advance the spirit of the game.

**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 has a clean disciplinary record.

Need for deterrence – R 17.20.1(b) (or equivalent Tournament rule)

There is no need for deterrence.

Any other off-field aggravating factors – R 17.20.1(c) (or equivalent Tournament rule)

There are no other off the field aggravating factors.

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	0 Weeks/Games	<input checked="" type="checkbox"/> Sending off sufficient
Sanction commences	NA	
Sanction concludes	NA	
Matches/tournaments included in sanction	NA	

Costs	NA
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Signature (JO or Chairman)	<u>Clinton Slogrove</u>	Date	June 6, 2024
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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 17.24.2(a) (or equivalent Tournament rule) (see Page 6)