

DISCIPLINARY DECISION



Match	Calgary Saints @ Red Deer Titans		
Competition	CRU MDEV		
Date of match	August 17, 2024	Match venue	Red Deer
Rules to apply	Regulation 17 World Rugby Handbook;		

PARTICULARS OF OFFENCE			
Player's surname	Wells	Date of birth	
Forename(s)	Zackary		
Player's Club	Red Deer Titans		
Referee Name	Ryan Parrell	Plea	<input type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Offence	9.18 A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.	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	August 21, 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)			
List of documents/materials provided to Player in advance of hearing	Match Officials Sending Off Report Video footage from the match https://www.youtube.com/watch?v=sAlH4_fy5Q		

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

Summary of the Essential Elements of the Report of Ryan Parrell:

Zackary made a tackle and lifted the Saints player off the ground and above the 45 angle and dumped the saints player on his head. Law 9-13 for dangerous play and I issued Zackary a red card.

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

At minute 42:12 of the video, the victim player appears to have been lifted off of his feet, the top of his head makes first contact with the ground while the remainder of his torso is above the shoulder line.

SUMMARY OF PLAYER'S EVIDENCE

Players submissions:

Mr. Wells states he wrapped the legs of the attacking player, the player attempted to run through him and landed on his head. It is his second year playing the game. He is remorseful with respect to the result on the victim player.

Submissions of Sean Tindall:

The matter occurred quickly, accepts that it is worthy of a red card, however feels that the player did not intentionally tip tackle the victim player.

Andrew Smith:

Andrew Smith's evidence mirrored that of Sean Tindall.

FINDINGS OF FACT

Having reviewed the match footage, and received the submissions of the player I find as fact that Zackery Wells did in fact tackle a player in such a manner that his head made contact with the ground. From the video it appears that the player was lifted off the ground.

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 checked="" type="checkbox"/> Reckless
State Reasons
This occurred in the process of a tackle made by a relatively inexperienced player, the play was dynamic, and there is not evidence of intent. It is my assessment that the result was made of poor timing and not intentional.
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
This was a dynamic play made by an inexperienced player, without intent.
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
N/A
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
N/A
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
N/A
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
There did not seem to be a lasting effect on the victim.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
Player was sent off and his club played the remainder of the match short
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
In any tip tackle situation the victim player is in a vulnerable position.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
There was no premeditation.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
Conduct 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>6</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

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)
Admitted guilt at the very first opportunity	The Player has no disciplinary history 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)
Player is relatively new to the sport. (2 years)	Conduct satisfactory at the hearing, player was forthright and contrite.
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 was remorseful immediately after the incident and at the hearing.	N/A

Number of weeks /matches deducted: 3

Summary of reason for number of weeks/matches deducted:

The player is relatively inexperienced, and the conduct was not intentional, as a result the full mitigation of 50% is available 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)
N/A
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

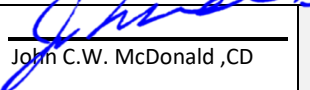
Number of additional weeks/matches: 0

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	3 Weeks/Games	<input type="checkbox"/> Sending off sufficient
Sanction commences	August 17, 2024	
Sanction concludes	June 30, 2025 Or sooner if the player sits meaningful matches, the burden is on the player to prove that he did in fact miss those meaningful matches.	
Matches/tournaments included in sanction		

Costs	N/A
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Signature (DO or Chairman)	 John C.W. McDonald ,CD	Date	August 21, 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.