

# DISCIPLINARY DECISION



Match	St Albert RFC v Calgary Hornets RFC		
Competition	AWP		
Date of match	July 13, 2024	Match venue	Calgary Rugby Union
Rules to apply	Regulation 17 World Rugby Handbook		

PARTICULARS OF OFFENCE			
Player's surname	Krueger	Date of birth	
Forename(s)	Kolby		
Player's Union	St Albert RFC		
Referee Name	Assistant Referee Daniel Wahba	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Offence	9.12 Punching	SELECT: <input checked="" type="checkbox"/> Red Card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	
Summary of Sanction	The Player is precluded from playing rugby for 4 weeks/matches.		

HEARING DETAILS			
Hearing date	July 26, 2024	Hearing venue	Google Meet (Virtual)
Chairman/JO	Clinton Slogrove		
Other Members of Disciplinary Committee	NA		
Appearance Player	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Appearance Union	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Player's Representative(s)	NA	Disciplinary Officer and/or other attendees	Clinton Slogrove
List of documents/materials provided to Player in advance of hearing	The Player's Team Representative was provided with: <ul style="list-style-type: none"> <li>• Send Off Report</li> <li>• Various photographs taken by independent match day photographer</li> <li>• Document titles "Player Statements" containing various statements from Hornets RFC players.</li> <li>• Various photographs of the Hornets players injuries, cuts and scratches</li> </ul>		

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

The Send Off Report notes that at the 79th minute, following a ruck, there was an issue between a Hornets player and a St. Albert player. This resulted in them pushing and shoving which I observed. I signalled foul play and radioed Shaun to stop the game. He blew the whistle and stopped the match but the situation continued and escalated. St. Albert # 11 Colby Kruger then became involved and punched an opposing player while play was stopped and escalated the situation even further. This is in violation of law 9.11.

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

Having reviewed the photographic evidence of the offending action captured at photographs 02032 – 02036 it is clear that the Player punched Hornets #20 in the back.

The Player admitted this act.

#### SUMMARY OF PLAYER'S EVIDENCE

The Player acknowledged that she had punched Hornets #20 in the shoulder. The Player made submissions that this was a result of the Hornets #20 dangerously and aggressively attempting to jackal the ball from a tackled SARFC player.

#### FINDINGS OF FACT

Bearing in mind Regulation 17.15.1 which provides that the standard of proof for all matters under this Regulation 17 shall be on the balance of probabilities and, having reviewed all the evidence pertaining to the various incidents that occurred in the final minutes of the game, I find as fact that SARFC #15 made a breakaway through the Hornets defensive line, she was tackled by Hornets #20 who then got to her feet and attempted to jackle the ball. A ruck formed and SARFC #11 was first to the ruck. SARFC #10 then cleared out Hornets #20. Play was stopped and the Player ran over to where the SARFC #10 was holding the Hornets #20 on the ground and proceeded to punch the Hornets #20 in the back. This is consistent with the sequence of photographic evidence.

#### 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)

Intentional

Reckless

State Reasons

The punch was clearly intentional and after play had been stopped.
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
While the match was a hotly contested match, there is no indication that it had been conducted in ill-spirit until this incident. Despite the Player’s contentions that this was an act of protecting a team mate, the evidence clearly shows Hornets #20, already cleared off of any ruck by SARFC #10 and being held on the ground by the SARFC #10. I find no existence of provocation directed at the Player.
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
The Player was retaliating to what she believed was an aggressive and dangerous attempt to jackle the ball from a SARFC player but no compliant has been made, and no report contains any evidence to support that this play was indeed dangerous.
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
This was clearly not in self-defence.
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
While the Hornets #20 was face down and being held by SARFC #10 – the Player proceeds to throw, and lands, a punch to the back of the Hornets player.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
There was no effect on the outcome of the match.
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
The victim as facedown, being held (and punched) by the Player’s teammate. The Player lays a punch to the back of a vulnerable player.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
While the photographs do not show time as a video would, it is clear and consistent with the Send Off Report, that the Player entered the fray after play had been stopped and intentionally punched the Hornets #20.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
The punch clearly lands on the back of the Hornets #20.
Other features of player’s conduct – R 17.18.1(l) (or equivalent Tournament rule)
NA

**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 checked="" type="checkbox"/>	<u>6</u>	<input type="checkbox"/>	Click Here For #

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\*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)
The Player did acknowledge wrongdoing ahead of, and at the hearing.	The Player made submission that in the 14 years she has been playing the game, this is her first red card and has no 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’s own version is that she has been playing the game for over 14 years.	The Player’s conduct prior to and at the hearing was respectful and polite.
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 admitted the incident occurred and generally showed remorse for the manner in which the entire game escalated, she did not appear to show remorse for the infraction resulting in the Sending Off but rather sought to justify her actions as warranted in the circumstances because of her perception of the Hornets #20’s conduct in jackling the ball.	NA

Number of weeks /matches deducted: 3

Summary of reason for number of weeks/matches deducted:  The player’s early acknowledgment of wrongdoing and clean disciplinary record merit her sanction being mitigated by 3 weeks/matches.
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**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)
No disciplinary record is evident.
Need for deterrence – R 17.20.1(b) (or equivalent Tournament rule)
There is a clear need for deterrence of this type of conduct. The Player's actions, after play had been stopped and on an already vulnerable opponent are reprehensible and merit an increase of at least one week.
Any other off-field aggravating factors – R 17.20.1(c) (or equivalent Tournament rule)
The Hornets #20 was already in a vulnerable position, face down, jersey being pulled over her head and already involved in an altercation with the Player's teammate. The Player, intentionally, aggressively and unnecessarily lands a punch in the back of the downed Hornets player.

Number of additional weeks/matches: 1

### 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	4 Weeks/Games	<input type="checkbox"/> Sending off sufficient
Sanction commences	July 14, 2024	
Sanction concludes	<p>It is my understanding that the Player has already missed a match and that there are only 2 remaining matches in the 2024 season.</p> <p>The Player can resume playing once the Player has sat out the first game of the 2025 season.</p> <p>If this understanding of the Player's match schedule is in any way inaccurate, and for clarity - the Player, having already missed one match, is precluded from playing rugby in any division, for the next three eligible matches.</p>	
Matches/tournaments included in sanction	All	

Costs	na
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Signature (JO or Chairman)	<i>Clinton Stogrove</i>	Date	July 27, 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)