

DISCIPLINARY DECISION



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|----------------|---|-------------|--------------------------|
| Match | Hong Kong vs Ireland | | |
| Competition | World Rugby HSBC Canada 7s | | |
| Date of match | September 19, 2021 | Match venue | BC Place, Vancouver B.C. |
| Rules to apply | Regulation 17 World Rugby Handbook and HSBC World Rugby 7s Series 2021 Tournament Disciplinary Program. | | |

PARTICULARS OF OFFENCE

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|---------------------|--|---------------|---|
| Player's surname | Webb | Date of birth | December 30, 1993 |
| Forename(s) | Russell | | |
| Player's Union | Hong Kong | | |
| Referee Name | Brown | Plea | <input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted |
| Offence | Law 9.13 Dangerous Tackling | SELECT: | Red card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other <input type="checkbox"/> If "Other" selected, please specify: |
| Summary of Sanction | 3 weeks/games (6 weeks reduced to 3 weeks as a result of mitigating factors) | | |

HEARING DETAILS

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| Hearing date | September 19, 2021 | Hearing venue | BC Place, Vancouver B.C. |
| Chairman/JO | Alan Hudson | | |
| Other Members of Disciplinary Committee | | | |
| Appearance Player | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> | Appearance Union | YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> |
| Player's Representative(s) | Paul John – Hong Kong Team Manager | Disciplinary Officer and/or other attendees | Jennifer Gray – World Rugby |
| List of documents/materials provided to Player in advance of hearing | Citing Commissioner Report; Game video clips | | |

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

The Citing Commissioner Report reads as follows:

"Green attacking on White 22 line. Green 12 in possession of ball cuts to his left. White 7 initiates a tackle. White 7 starts low and rises into the tackle. White 7's left hand wraps around Green 12's shoulder while his right hand comes high and makes direct contact with Green 12's head. White 7's upper arm contacts Green 12's chin. The force is high. White 7's tackle on Green 12 contravenes Law 9:13 – dangerous Tackling – tackling above the line of the shoulders. The contact is high force and direct to the head. This meets the standard of a red card decision."

There are 2 angles of the incident captured in the available video footage. The first angle is from behind the Victim Player (Green 12) which does not show the incident in its totality. The 2nd angle is from an in goal camera behind the Player (White 7) which clearly depicts the entire incident.

Ireland (Green) is on attack near the Hong Kong 22 metre line. The Victim Player is carrying the ball and as he approaches the Player he cuts to his left. A Hong Kong player (White 1) moves to engage the Victim Player from that Player's right side. The Player is directly in front of the Victim Player and moves to his right in response to the Victim Player cutting in that direction. As he moves to his right he drives upward, his left arm wraps around the Victim Player's right shoulder and his right arm swings forward contacting the Victim Player directly in the area of his jaw. The force of the blow is significant.

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

The Ireland team reports no injury to the Victim Player.

The referee was situated behind the Victim Player (same viewpoint as the first video angle noted above) and from his viewpoint saw a "seatbelt" tackle for which he awarded a penalty kick.

SUMMARY OF PLAYER'S EVIDENCE

The Player's position is that while there was an act of foul play, it did not reach the red card threshold. He agreed that there was direct contact with the Victim Player's head but, in his view, there was no swinging arm but rather he put out his arm to attempt a "wrap" tackle. He said there was little force involved and he was not driving forward at the time of contact. He said his actions were reckless but the degree of danger was not present to elevate this to the red card level.

FINDINGS OF FACT

As the Player has admitted, there was contact with Victim Player's head which was reckless. The main area of contention was the degree of danger present in the actions of the Player. As the Citing Commissioner has alleged, the Player's tackle action started from a low crouched position, and he rose upward into the tackle with his right arm swung forward making full and direct contact with the Victim Player's jaw. The degree of force was substantial as is readily apparent on the video. There were no mitigating considerations, and none were argued on behalf of the Player. The Player had a clear line of sight; there was no sudden or significant drop in height or unexpected movement on the part of the Victim Player.

In accordance with the World Rugby Head Contact Process, head contact occurred as a result of foul play, there was a high degree of danger, and no mitigation is applicable in the circumstances. The Citing Complaint is therefore upheld.

DECISION

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| Breach admitted <input type="checkbox"/> | Proven <input checked="" type="checkbox"/> Not proven <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/> |
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SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

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| Assessment of Intent – R 17.18.1(a)-(b) (or equivalent Tournament rule) |
| Intentional <input type="checkbox"/> Reckless <input checked="" type="checkbox"/> |
| State Reasons |
| The Player knew or ought to have known that his actions were avoidable and there was a risk of committing an act of foul play by undertaking the course of action he did. |
| Nature of actions – R 17.18.1(c) (or equivalent Tournament rule) |
| This was a situation in which there was a direct blow by the Player's right arm to the head of the Victim Player |
| 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) |
| No |
| 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) |
| The Victim Player was not injured and did not require any treatment following the incident |
| Effect on match – R 17.18.1(h) (or equivalent Tournament rule) |
| None |
| Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule) |
| The Victim Player was upright at the moment of impact and was unprepared for the contact which did occur. |
| Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule) |
| The Player fully participated, there was no other player involved in the act of foul play, and there was no premeditation |
| Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule) |
| The conduct was completed. |
| Other features of player's conduct – R 17.18.1(l) (or equivalent Tournament rule) |
| None |

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"/> | 6 | <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 |
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| N/A |

RELEVANT OFF-FIELD MITIGATING FACTORS

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| Acknowledgement of guilt and timing – R 17.19.1(a) (or equivalent Tournament rule) The Player admitted that there was an act of foul play involving head contact but put forward a thoughtful argument on the issue of the degree of danger | Player’s disciplinary record/good character – R 17.19.1(b) (or equivalent Tournament rule) The Player has been involved in rugby for a number of years, the last 4 at the top level of 7s in Hong Kong. He has no disciplinary record apart from a Yellow Card for a deliberate knock on. His manager spoke well of his character. |
| Youth and inexperience of player – R 17.19.1(c) (or equivalent Tournament rule) The Player is 27 years old, is a full time professional 7s player and has been playing on the Hong Kong senior 7s team since 2018 | Conduct prior to and at hearing – R 17.19.1(d) (or equivalent Tournament rule) His conduct throughout was excellent. He put forward strong arguments on his own behalf in a measured and thoughtful way. |
| Remorse and timing of remorse – R 17.19.1(e) (or equivalent Tournament rule) The Player was quick to acknowledge the issues of head contact and foul play. He was clearly unhappy with his actions and was remorseful that the incident occurred. | Other off-field mitigation – R 17.19.1(f) (or equivalent Tournament rule) None |

Number of weeks/matches deducted:

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| 3 |
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Summary of reason for number of weeks/matches deducted:

Although the Player contested the issue of whether there was a high degree of danger that elevated this incident to the red card level, he was quick to admit the foul play and head contact and put forward good submissions on the issue of the degree of danger involved. His disciplinary record is quite exceptional given his age and participation in the game.

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

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| 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) |
| None |

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)

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| Total sanction | 3 weeks/matches | Sending off sufficient <input type="checkbox"/> |
| Sanction commences | Immediately | |
| Sanction concludes | On the 1 st day of the World Rugby HSBC 7s in Edmonton on September 25, 2021 | |
| Matches/tournaments included in sanction | The final 2 matches to be played by Hong Kong at the World Rugby HSBC 7s in Vancouver and the 1 st match in Edmonton | |

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| Costs | No Order |
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| Signature (JO or Chairman) | Alan Hudson | Date | September 19, 2021 |
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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)

[Standard Appeal Directions to appear on this page]