

DISCIPLINARY DECISION



Match	Jamaica vs Germany		
Competition	World Rugby HSBC Canada Sevens		
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 Sevens Series 2021 Tournament Disciplinary Program		

PARTICULARS OF OFFENCE

Player's surname	Turner	Date of birth	Oct. 5, 1981
Forename(s)	Fabian		
Player's Union	Jamaica		
Referee Name	Talal Chaudry	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	Regulation 17.9.4 2 Yellow cards in 1 Match	SELECT:	Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other <input checked="" type="checkbox"/> The Player received 2 Temporary Suspensions from the Referee in the Match
Summary of Sanction	1 Week/Match		

HEARING DETAILS

Hearing date	September 19, 2021	Hearing venue	BC Place Vancouver BC
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)	Hughton Campbell – team manager	Disciplinary Officer and/or other attendees	Jennifer Gray – World Rugby
List of documents/materials provided to Player in advance of hearing	The 2 Referee's Reports on Temporary Suspension		

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

The Referee submitted reports on the 2 Yellow Cards issued in the game. Both were issued for “no arms tackle”.

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

SUMMARY OF PLAYER'S EVIDENCE

The Player did not contest the Yellow Cards. He said he plays both Rugby Union and Rugby League and has recently been preparing for the Rugby League World Cup which has now been cancelled due to Covid 19. His evidence is that the tackle laws are different in the 2 codes of the game with Rugby League being less stringent on dangerous play at the tackle and he acknowledged that given his emphasis recently on preparing for Rugby League, this probably played a major role in the 2 Yellow cards he received for dangerous tackling.

FINDINGS OF FACT

The appropriate action in this case is to consider a sanction for persistent offending. In this situation both Yellow Cards were issued for a dangerous play offence under Law 9.13. Appendix 4 to Regulation 17 provides guidance in situations where a Player receives 2 Temporary Suspensions in one match. Section B. 1 of that Appendix provides that, "Ordinarily the appropriate entry point for persistent offending within a single Match is a suspension of one to two weeks." I am of the view that a one week/match suspension is appropriate in this case.

DECISION

Breach admitted <input type="checkbox"/>	Proven <input type="checkbox"/> Not proven <input type="checkbox"/> other <input checked="" type="checkbox"/> the player has received 2 Temporary Suspensions in one match which will result in a 1 week/match suspension
--	---

SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 17.18.1(a)-(b) (or equivalent Tournament rule)
Intentional <input type="checkbox"/> Reckless <input type="checkbox"/>
State Reasons
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)

Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
Other features of player’s conduct – R 17.18.1(l) (or equivalent Tournament rule)

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 type="checkbox"/>		<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

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – R 17.19.1(a) (or equivalent Tournament rule)	Player’s disciplinary record/good character – R 17.19.1(b) (or equivalent Tournament rule)
The Player did not contest the Yellow cards	The Player has played Rugby Union for 15 years in Jamaica, but this is his first 7s tournament. He has played Rugby Union for 8 years. He said that he has absolutely no disciplinary history in either Rugby Union or Rugby League.

Youth and 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 29 years old and has been playing both Rugby Union and Rugby League most of his adult life.	His conduct at the hearing was excellent.
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)
The Player was clearly disappointed in his behaviour that led to the 2 Yellow cards	Nil

Number of weeks/matches deducted:

N/A

Summary of reason for number of weeks/matches deducted:

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:

N/A

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	1 Week/Match	Sending off sufficient <input type="checkbox"/>
Sanction commences	Immediately	
Sanction concludes	Following the 1st Match that Jamaica will play at the World Rugby HSBC 7s series in Edmonton on September 25, 2021.	
Matches/tournaments included in sanction	The 1 st Match Jamaica plays on September 25, 2021 in Edmonton.	

Costs	N/A
-------	-----

Signature (JO or Chairman)	Alan Hudson	Date	September 19,2021
-------------------------------	-------------	------	-------------------

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]