

DISCIPLINARY DECISION



Match	South Africa vs Great Britain		
Competition	World Rugby HSBC 7s Series 2021 /Canada Sevens		
Date of match	September 19, 2021	Match venue	BC Place Vancouver B.C.
Rules to apply	Regulation 17 World Rugby Handbook; and the HSBC World Rugby 7s Series 2021 Tournament Disciplinary Program		

PARTICULARS OF OFFENCE

Player's surname	Pretorius and Davids	Date of birth	Jan 29, 1998 and May 4, 1997
Forename(s)	J.C. and Zane		
Player's Union	Both Players play for South Africa		
Referee Name	Duarte	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted
Offence	Both Players in the same incident under Law 9.18 – Lifting Tackle.	SELECT:	Red card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other <input type="checkbox"/> If "Other" selected, please specify:
Summary of Sanction	Citing Commissioner Reports for both Players is Dismissed		

HEARING DETAILS

Hearing date	September 19, 2021	Hearing venue	BC Place Vancouver B.C.
Chairman/JO	Alan Hudson		
Other Members of Disciplinary Committee			
Appearance Players	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Appearance Union	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Player's Representative(s)	Ashley Evert – 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 Reports which were identical for both Players in respect of the allegations made. Video evidence of the incident in question		

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

The Citing Commissioners Reports contained identical allegations against both Players arising out of the same incident. The allegations were that the Victim Player carrying the ball was grasped at the same time by both Players and in the course of completing a tackle on the Victim Player, their combined actions caused the Victim Player's legs to be lifted past the horizontal with the result that the Victim Player's head and upper body made first contact with the ground contrary to Law 9.18 thus meeting the red card threshold.

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

SUMMARY OF PLAYER'S EVIDENCE

Both Players through the South Africa Team Manager, Mr. Evert, raised a preliminary issue which it was alleged, prevented the matter from proceeding against both Players, namely that the Citing Commissioner Reports were received by the Disciplinary Officer, Ms. Gray, beyond the 60 minutes time period required by Regulation 17.34.3. In the result, the position of both Players was that both Citing Commissioner Reports should be dismissed forthwith.

Mr Evert produced a printout from a software program named Sport Hudl which he, as analyst, uses to track various incidents during a match. His evidence was that this program is commonly used by teams on the World Rugby HSBC 7s Series and shows all time sequences during a match. His position was that this program clearly showed that the match kicked off at 13:42 hrs and lasted 22:01 minutes in duration with the final whistle at 14:04hrs.

Ms Gray's evidence indicated that she received the Citing Complaints with respect to both Players at 15:11 hrs. If Mr. Evert's times are correct, this is beyond the 60 minute time period stipulated in Reg 17.34.3 which states:

" A citing complaint by a Citing Commissioner should ordinarily contain the information provided in Regulation 17.13.4 and be received by the appointed disciplinary officer or in default the secretary of the Host Union or Tournament Organizer within 60 Minutes of the end of the Match in which the act(s) of Foul Play is alleged to have taken place."

The Citing Commissioner who issued the complaints against both Players noted a start time for the match of 13:42 hrs and a final whistle at 14:10 hrs, some 6 minutes later than Mr Evert's timing using the Sport Hudl software program, and which would place the receipt by Ms. Gray of the Citing Complaints, 1 minute beyond the 60 minute time period stipulated in Reg 17.34.3.

Given the disparity in the evidence as to the start and end times of the Match in question, Ms. Gray attended the Tournament Broadcast Truck where time periods of games are recorded. The broadcaster confirmed a start time of 13:42:49 hrs and an end time of 14:04:44 hrs. This was consistent with the timings noted by Mr. Evert.

The Citing Commissioner attended the hearing and agreed that the timing as confirmed by the broadcaster indicated that the Citing complaints were beyond the 60 minute mark noted in the Regulation. Regulation 17.34.3 notes that the exceptional circumstances for citing out of time in Regulation 17.13.3 *"shall also apply to Sevens"* and *"the time period for citing may be extended where there are extenuating circumstances"*. The Citing Commissioner at the hearing confirmed that the exceptional circumstances noted in Reg 17.13.3 did not apply in this case and that there were no extenuating circumstances warranting an extension of the time period.

FINDINGS OF FACT

The 2 citing complaints in this case were clearly received by Ms Gray beyond the 60 minute time period stipulated in Reg 17.34.3. The evidence from the tournament broadcaster confirms this as does the evidence from the Citing Commissioner. There are no exceptional or extenuating circumstances within the meaning of Regulation 17 to warrant an extension of the applicable time period. In the result, the 2 citing complaints in this matter are dismissed.

DECISION

Breach admitted <input type="checkbox"/>	Proven <input type="checkbox"/> Not proven <input type="checkbox"/> Other disposal (please state) <input checked="" type="checkbox"/> The Citing Complaints are Dismissed as being out of time.
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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)
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)
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)

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Number of weeks/matches deducted:

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

Number of additional weeks/matches:

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		Sending off sufficient <input type="checkbox"/>
Sanction commences		
Sanction concludes		

Matches/tournaments included in sanction	
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Costs	
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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]