

DISCIPLINARY DECISION



Match	Ireland v Japan		
Player's union	IRFU	Competition	2021 Women's Autumn Internationals
Date of match	20 November 2021	Match venue	RDS Arena
Applicable rules	World Rugby's regulations (WRR) 17, 18 and 20, as supplemented by the 2021 Autumn Nations Series Disciplinary Rules (DR)		

PARTICULARS OF OFFENCE

Player's surname	O'Connor	Player's forename(s)	Hannah
Player's union	IRFU	Player's date of birth	28 April 1990
Referee's name	Clara Munarini	Citing Commissioner's name (if applicable)	
Foul play	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	Red card warranted	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	9.13 A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes but is not limited to tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders.	SELECT: Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/>	
Summary of sanction	3 matches subject to coaching intervention		

HEARING DETAILS

Hearing date	23 November 2021	Hearing venue	Zoom call
Chairman/JO	Philippe Cavalieros		
Other Members of Disciplinary Committee	Leon Lloyd (ex player) Lawrence Sephaka (ex player)		
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)	David Nucifora (Performance Director) Sean Brassil (Legal Counsel IRFU)	Disciplinary Officer and/or other attendees	Julie Paterson Belinda Armstrong
List of documents/materials provided to Player in advance of hearing	<ul style="list-style-type: none"> - Broadcast footage of incident, obtained via Opta. - Angles obtained post-match by the Citing Commissioner Liaison Officer, Helen O'Reilly ; - Referee Red Card Report, Clara Munarini (FIR); - TMO Red Card Report, Matteo Liperini (FIR); - email from AR1 Sara Cox 		

	<ul style="list-style-type: none"> - Responses to Standing Directions dated 22 November 2021 - Player’s schedule of matches - Japan No 2, Nijiho Nagata (“Victim Player”)’s head contact statement - Japan team doctor’s medical report - Additional footage clipped by one of IRFU’s analysts from the video already provided
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SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE’S REPORT/INCIDENT FOOTAGE

The incident took place at the 28th minute of the first half and gave rise to issuance of a RC by Referee Clara Munarini after TMO review.

The Referee RC Report was issued by Clara Munarini on 20 November 2021 and refers to Rule 9.18, [*recte* 9.13] mentioning “High tackle, direct on head, no mitigations”.

The TMO Report issued on the same day is identical, and adds “Head to Head”.

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

Both the Victim Player and Japan team doctor’s medical report confirm that there was contact with the head that resulted in toothache followed by headache. The medical statement indicates that a concussion was suspected but that fortunately the headache disappeared after one night. However a GRTP protocol would be implemented for the victim player’s return to play.

SUMMARY OF PLAYER’S EVIDENCE

The Player accepted that the official reports were a true account of the incident and that she did commit foul play that warranted a red card.

In determining the entry point, the Player explained that a number of factors ought to be considered including the fact that the inside player looped the pass to the Victim Player which resulted in poor passing that forced the Victim Player to suddenly bend, and ultimately lead to a head to head contact.

The Player apologised to the Victim Player, expressed remorse and was herself wounded in the incident resulting in stiches at the top of her own head.

FINDINGS OF FACT

Preliminarily, disciplinary matters arising out of the Autumn Nations Series are governed by WR's Regulation 17, 18 and 20 as supplemented by Schedule 6 of the Autumn Series regulations.

At the 28th minute into the first half the Player's head came into direct contact with the victim player (who was carrying the ball) when the Player attempted to perform a tackle.

Contrary to what is indicated in the Referee and TMO Reports, the relevant offence arises out of Rule 9.13 (and not 9.18): "A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes but is not limited to tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders ».

The Player having accepted that the act of foul play warranted a red card, the Committee had only to decide on the relevant entry point.

In so doing, on the basis of the available evidence, the Committee was informed that the Victim Player resumed the game, it being noted that the medical report indicates that she suffered toothache and headache akin to symptoms of concussion. However, the medical reports did not confirm that a concussion had happened.

With reference to WR's Head Contact Process (« HCP»), head contact between the two players undoubtedly occurred as shown on the respective video footages, but the Committee considered that the incident was neither intentional nor highly reckless. Whilst the HCP was not entirely relevant to consider whether mitigation factors should be taken into account given that the Player accepted the red card, it was nonetheless relevant to come to the conclusion that the act was simply reckless. The Player could indeed have avoided the head to head contact by better monitoring her pace and footsteps, but the Committee considered that it was initially a legitimate intent to tackle, since the Player was in a correct position for doing so.

Whilst the contact was quite forceful, there was fortunately no significant injury for the Victim Player who could resume the game.

The Committee was mindful of the regulations which provide for a mid-range entry point when there is contact with the head and considered that the act did not warrant a higher entry point.

DECISION

Foul play	Admitted <input checked="" type="checkbox"/> Determined <input type="checkbox"/> Not determined <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/>
Red card warranted	Admitted <input checked="" type="checkbox"/> Determined <input type="checkbox"/> Not determined <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/>

SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of intent – WRR 17.18.1(a)-(b)
Intentional/deliberate <input type="checkbox"/> reckless <input checked="" type="checkbox"/>
State reasons
The Player could have avoided the incident by better monitoring her footstep and pace, but the act was not intentional as it resulted from external factors such as poor passing to the Victim Player
Nature of actions – WRR 17.18.1(c)
Head to head.
Existence of provocation – WRR 17.18.1(d)
N/A
Whether Player retaliated – WRR 17.18.1(e)
N/A
Self-defence – WRR 17.18.1(f)
N/A
Effect on victim – WRR 17.18.1(g)
Aches but the victim remained on the pitch.
Effect on match – WRR 17.18.1(h)
N/A
Vulnerability of victim – WRR 17.18.1(i)
N/A
Level of participation/premeditation – WRR 17.18.1(j)
N/A

Conduct completed/attempted – WRR 17.18.1(k)
Completed.
Other features of Player’s conduct – WRR 17.18.1(l)
Player was herself injured as a result

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 Disciplinary Committee must identify, based on his/her/its assessment of the seriousness of the conduct, an entry point between the top end and the maximum sanction and provide the reasons for selecting this entry point, below (WRR 17.18.2).

Reasons for selecting entry point above top end

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – WRR 17.19.1(a)	Player’s disciplinary record/good character – WRR 17.19.1(b)
Player acknowledged guilt immediately in her responses to Standing Directions.	No disciplinary record
Youth and inexperience of player – WRR 17.19.1(c)	Conduct prior to and at hearing – WRR 17.19.1(d)
Limited experience at international level. 7 or 8 years of rugby.	Exemplary
Remorse and timing of remorse – WRR 17.19.1(e)	Other off-field mitigation – WRR 17.19.1(f)
Immediate	N/A

Number of weeks/matches deducted:

Summary of reason for number of weeks/matches deducted:
Full mitigation awarded considering conduct, expression of remorse, relative inexperience at international level.

RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status generally as an offender of the Laws of the Game – WRR 17.20.1(a)
N/A
Need for deterrence – WRR 17.20.1(b)
N/A
Any other off-field aggravating factors – WRR 17.20.1(c)
N/A

Number of additional weeks/matches: N/A

SANCTION

NOTE: PLAYERS ORDERED OFF OR CITED ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – WRR 17.12.5(f) and 17.13.7.

Total sanction	3 matches	Sending off sufficient <input type="checkbox"/>
Sanction commences	21 November 2021	
Sanction concludes	12 December 2021 or 5 December 2021 (see below)	
Matches/tournaments included in sanction	<ol style="list-style-type: none"> 1. Blackrock College v UL Bohemian 27 November 2021 2. Blackrock College v Old Belvedere 4 December 2021 3. Ballincollig v Blackrock College 11 December 2021 	

	<p>(substituted if the Player successfully completes the Head Contact Process Coaching Intervention)</p> <p>The Player has indicated that she intends to apply for the Coaching Intervention and the Committee has agreed to permit the player to apply for the Coaching Intervention.</p> <p>In the event that the Coaching Intervention is successful, the specific final match of the sanction will be substituted by the Coaching Intervention.</p>
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Costs	N/A
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Signature (JO or Chairman)		Date	24 November 2021
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NOTE: THE PLAYER WILL HAVE 48 HOURS FROM THE DATE OF RECEIPT OF THE WRITTEN DECISION TO FILE AN APPEAL WITH THE ADMINISTRATOR – DR 6.2(a). TO BE EMAILED TO disciplinary@6nations.net.