

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: Guro Kristine Nordvik	
Player's number: 3	
Player's union: Norway	
Competition: Rugby Europe Women 7s Trophy #1 2024	
Host Team (T1): Norway	Visiting Team (T2): Andorra
Venue: NK Lučko Stadium, Zagreb, Croatia	
Date of match: 15 June 2024	
Rules to apply: Regulation 17 World Rugby Handbook and RE Disciplinary Regulations	
Referee Name: Laura Wunsch	
Plea: Foul play: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted; Red Card/Citing: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	
Offence: <input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other <i>If "Other" selected, please specify:</i>	
Hearing details	
Chairperson / JO: Valeriu Toma (Romania)	
Hearing date: 16 June 2023	
Hearing venue: NK Lučko Stadium, Zagreb, Croatia	
Appearance Player: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Appearance Union: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Player's Representative(s): Alice Little	
Other attendees:	
List of documents/ materials considered by the Panel: Referee reports	
Summary of essential elements of citing / Referee's report / Incident footage	
<p>The hearing has been convened as a result of the Player being sent off after accumulating two temporary suspensions in the match against Andorra.</p> <p>The Referee's reports on the two incidents leading to the temporary suspensions were for similar offences: YC1 "5 minutes" into the first half "deliberate knock-on"; YC2 "6 min 20 sec" of the second half "deliberate knock-on";</p> <p>Match footage has been available and, in respect of YC1, viewed by the Judicial Officer together with the Player and her representative.</p>	
Essential elements of other evidence (e.g. medical reports)	
n/a	
Summary of player's evidence	
<p>The section 4.2.3 (Specific procedure in case of Temporary Suspensions and Citing Commissioner's Warnings) of RE Disciplinary Regulations provides that "Yellow Card for a technical offence may not be challenged".</p> <p>However, Section 17.3 - Core Principles of WR Regulation 17 reads:</p>	

(d) The principles of natural justice shall be adhered to in all disciplinary proceedings. Such principles include, Players cited/Ordered Off shall have the right to know the evidence against them, shall have the right to be heard, to be represented, to produce evidence and defend themselves before independent adjudicators.

As such, the JO allowed the Player to submit her view over the two incidents.

The Player fully accepted YC2 but raised some concerns over the issuing of YC1:

The Player submitted that, in the first incident, she never had the intention to make contact with the ball but to legally tackle the ball carrier. She also believed that she did not touch the ball but rather the hand of the ball carrier in the moment when she passed the ball. The Player also submitted that the referee had an obstructed view to the ball in the precise moment of the alleged offence and that she (the ref) did not consult with the assistant ref who had a better line of sight.

Upon careful review of the footage and questioning by the JO, the Player admitted that:

- it is apparent that the ball changes its trajectory just after it leaves the ball carrier's hands suggesting that it was deflected by the Player's hand;
- a legitimate attempt to tackle by closing the arms at the level of the ball, precisely at the moment when (or fractions after) the ball leaves the hands of the the ball carrier carries a risk of committing a deliberate knock-on;
- in the context of technical aspects of the game, the referees do not have the time and are not expected to judge the intention of players and they rather rely on facts;

Having regards of the above aspects, the Player admitted that the referee was not wrong to issue YC1.

Findings of fact

For YC1, although the Player may have not had the intention to break the passed ball trajectory, she nevertheless carried the risk of committing a deliberate knock-on by attempting to tackle in the way she did.

The Player committed an act of persistent offending involving similar types of infringement.

Decision

Admitted Proven Not proven Other disposal (please state)

SANCTIONING PROCESS

As per Article 4.2.3 of Rugby Europe Disciplinary Regulations and Appendix 4 of Regulation 17 of World Rugby

ACCUMULATION OF TEMPORARY SUSPENSIONS AND/OR CITING COMMISSIONER WARNINGS

The relevant part of Article 4.2.3 of RE Disciplinary Regulations provides that:

“Where a Player has received over a Match two yellow cards; or a combination of one yellow card and one Citing Commissioner Warning; the designated Judicial Officer is required to apply a sanction for the offence of persistent offending, not for the substantive offences relating to each yellow card and/or Citing Commissioner Warning. Ordinarily, the appropriate entry point sanction in such circumstances is a suspension of one to two weeks.”

However, the Appendix 4 (SANCTIONS GUIDANCE FOR ACCUMULATION OF TEMPORARY SUSPENSIONS AND/OR CITING COMMISSIONER WARNINGS) of WR Regulation 17, which is the overarching document in respect of Disciplinary matters, provides :

“1. There is deliberately no guidance within the World Rugby sanctions table(s) to assist a Judicial Officer or Judicial Committee to determine the appropriate sanction in relation to accumulated Temporary Suspensions and/or Citing Commissioner Warnings.

This is an area where judicial discretion is required given the multiple permutations that could emerge (JO emphasis).

...

B. Player receives two Temporary Suspensions/Citing Commissioner Warnings in one Match

1. The Judicial Officer or Judicial Committee is required to apply a sanction for the offence of persistent offending, not for the substantive offences relating to each Temporary Suspension and/or Citing Commissioner Warning (JO emphasis). Ordinarily, the appropriate entry point for persistent offending within a single Match is a suspension of one to two weeks. Sanctioning in these circumstances should be determined by reference to the methodology in Regulations 17.17 to 17.21 and in particular to the application of mitigating and aggravating features.

2. The Judicial Officer or Judicial Committee may decide that sending off was sufficient (or otherwise that no further sanction is appropriate) in the following circumstances: ...

...(b) that exceptional circumstances exist which would warrant no further sanctions being imposed. This situation could arise when a Player was temporarily suspended for an act of Foul Play but on review it was clear that there was no Foul Play or only a minor act of Foul Play had been committed which would not have warranted a Temporary Suspension and/or Citing Commissioner Warning;

...(c) any of the Temporary Suspensions were awarded for so-called technical offences (including following a team warning) not involving a breach of Laws 9.11 to 9.28 inclusive.”

Having regard of the technical nature of the offences, the JO contemplated the option of applying clause B.2.(c) above.

However, giving due consideration to the fact that:

- both YCs were issued for the same (or similar) type of offence; and
- the Player was ordered-off only 40 seconds before the end of the match,

the JO considers that a ‘Sending-off sufficient’ in this particular case, would leave the Player without a meaningful sanction for the pattern of offending involved.

As the leading principle when judging accumulation of TS/CCW is that the JO must apply a sanction for **persistent offending** rather than for the substantive offences, and given that the Player persisted in the precisely same type of offending, the JO considers that the appropriate entry point is a 1 week suspension.

As a 1 week entry point cannot be reduced by way of mitigation, the JO did not proceed with the assessment of the applicable mitigating factors, however was impressed by the gracious, candid and fair attitude of the Player throughout the hearing.

Entry point
1 week suspension.

Relevant off-field mitigating factors	
<i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>	
Acknowledgement of guilt and timing:	Player's disciplinary record / good character:
YCs accepted.	n/a
Youth and inexperience of player:	Conduct prior to and at hearing:
n/a	Excellent.
Remorse and timing of Remorse	Other off-field mitigation:
n/a	n/a

Number of weeks deducted: [XX]
Summary of reason for number of weeks deducted:
n/a

Additional relevant off-field aggravating factors

As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby

Player's status as an offender of the Laws of the Game:

n/a

Need for deterrence:

n/a

Any other off-field aggravating factors:

n/a

Number of additional weeks: [XX]


Summary of reason for number of weeks added:

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 – RE Discipline Regulations 4.1.4 / 4.4 (or equivalent Tournament rule)

Total sanction: 1 week suspension translated into 1 match of 7s.	<input type="checkbox"/> Sending off sufficient
Sanction commences: Immediately.	
Sanction concludes: On 16 June 2024, after the last match of Norway in this tournament.	
Matches/ tournaments included in sanction: Final classification match.	
Costs: n/a	

Signature
Name of the JO: Valeriu Toma
Date: 16 June 2024
Signature (JO or Chairman): 

NOTE: You have 48 hours from notification of the decision of the chairman/jo to lodge an appeal with the tournament director – RE Discipline Regulations 4.6.2 (or equivalent Tournament rule)