

RFU SHORT JUDGMENT FORM



Match (home)	Exeter Chiefs Women	Vs (away)	Bristol Bears Women
Club's Level	1	Competition	Premiership Women's Rugby Women
Date of Match	26/11/2023	Match Venue	Sandy Park, Exeter

Particulars of Offence			
Player's Surname	Swann	Date of Birth	01/12/1995
Forename(s)	Demetria	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Exter Chiefs	RFU ID No.	3024124
Type of Offence	Hair pull		
Law 9 Offence	27		
Sanction	1 match suspension		

Hearing Details			
Hearing Date	29/11/2023	Hearing venue	Papers
Chairmen/SJO	Jeremy Summers	Panel Member 1	Mitch Read
Panel Member 2	David Banks	Panel Secretary	Oliver Norris
Appearance Player	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Appearance Club	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Player's Representative(s):		Other attendees:	
Conflict of Interests	Conflict raised <input type="checkbox"/> No conflict raised <input type="checkbox"/>	Conflict of Interests	Conflict raised <input type="checkbox"/> No conflict raised <input type="checkbox"/>

List of documents/materials provided to player in advance of hearing:			
<input checked="" type="checkbox"/> Charge Sheet	<input type="checkbox"/> Red Card report	<input type="checkbox"/> Player Statement	Video footage Yes
<input checked="" type="checkbox"/> Medical report	<input checked="" type="checkbox"/> Citing report	<input checked="" type="checkbox"/> Club Statement	<input type="checkbox"/> World Rugby Head Contact Process
Other (Please list below)			
Submissions from the RFU; Regulation 19, Appendix 2, Sanction Entry Points; Submissions on behalf of the Player.			



CC (Danae Zamboulis) Report noted an incident occurring in the 20th minute of the second half as follows:

Bristol Bears No17 (B17) is attacking ball in hand outside Exeter's 5 m line using her right arm to hand off Exeter Chiefs No1 (E1) on the right shoulder and slip out of the tackle. As B17 is evading the tackle and starting to get away from E1, E1 extends her left arm forward and grabs B17 by the hair. E1 proceeds to pull B17 by the hair, closing the distance between them enough to reach B17 with her other arm (right arm), at which stage she releases B17's hair. The tackle is subsequently completed with both players going to ground. There is no injury as a result of the incident and the referee with the TMO's assistance issues a yellow card for the hair pull. Following review of the incident, foul play is determined for hair pulling. In addition, but for the hair pull the tackle by E1 would not have been completed, taking the incident past the red card threshold. In view of the above, I cite Exeter Chiefs No1, Demi Swann, for hair pulling contrary to law 9.27 of World Rugby's laws of the game "A player must not do anything that is against the spirit of good sportsmanship."

Match footage was reviewed, which was consistent with the CC's report above.

E17 attacks with the ball from the center the field towards the posts EC running into the Player's defensive channel as she does so.

E17 breaks the initial tackle attempted by the Player running to the left of the Player as she does so. The Player rotates round in attempt to tackle E17. E17 is beyond the Payer and so her back and ponytail are exposed to the Player's attempted grasp.

The Players left hand rides up E17's back and makes contact with the ponytail. Contact with the hair lasts no more than second but it does momentarily assist with the tackle.

Play continues and Bristol score a try after the next phase.

E17 is seen to get up and does not appear to make any complaint.

Medical report from Bristol Bears dated 28 November 2023 stated:

"During this weekend's fixture against Exeter Chiefs, Simi Pam was involved in an incident whereby her hair was grabbed. On field, she got up independently without any complaint of neck pain or otherwise. She continued to play following this incident.

Following the game and 24 hours post incident, she denied any neck pain or symptoms related to the above incident."

Submissions made on behalf of the Player read:

"PLEA

1. The player accepts the charge. However on the recording it can be seen that the foul play is very much on the cusp of the yellow – red card criteria indicated by the differing views of the match officials and the citing officer. However the player accepts for the purposes of this hearing that the red card criteria were met.

2. The player exhibited poor tackle technique. She heard a shout that B17 had the ball and went to tackle. B17 is a lot shorter than her and the intention was to grab her jersey. However she grabbed her hair instead and pulled as she would if she had made contact with her clothing. When she realised what she had done she let go before B17 came to the ground. It was not premeditated and she acted on the spur of the moment.

SERIOUSNESS OF THE OFFENCE

3. It is submitted that there are no aggravating factors to take this offence above the Low Entry level of a 2 game suspension. It was reckless not intentional. It was short lived, with no injury to the player and the game was not interrupted.

MITIGATION

4. Demi is 27 years old and a native of Canada where she graduated as a teacher. She decided to come to England to play professional rugby and this was only her second game for Exeter. She is highly regarded by the coaching team.

5. Demi has no previous disciplinary history.

6. She promptly admitted to the charge and sought to make the disciplinary process as straightforward as possible.

7. She sought B17 out at the game to apologise but this was not possible as she was having an injury suffered in a separate incident attended to.

8. It is submitted that Demi is entitled to the full 50% reduction in sanction>"

Findings of Fact

Player is beaten at the point of collision as she attempts to tackle E17.

She then rotates round with the dynamics of the contact and tries grasp E17 who has move beyond her towards the gaol line.

As she does so her left hand grasps E17's hair.

This action was not intentional act at the outset.

However, the Player does not immediately release he hold of E17's hair and although the contact is only brief thereafter is was at least reckless in terms of foul pay and assisted in bringing E17 to ground.

In light of that finding, the Panel agreed with the CC that the offending had passed the Red Card test, and the citing , which was accepted by the Player, was accordingly upheld.

No injury resulted.

Decision

Breach admitted

Proven

Not Proven

Other Disposal (please state below)

As above, the Panel was satisfied that the offending had passed the Red Card test and the citing was upheld.

SANCTIONING PROCESS



Assessment of Seriousness

Assessment of intent - Ref 19.11.8

PLEASE TICK APPROPRIATE BOX

19.11.8(a) Intentional

19.11.8(b) Reckless

Reasons for finding as to intent:

Offending had not been intended at the outset, but to the extent that the Player did not immediately release E17's hair it was reckless foul play.

Nature of actions - Reg 19.11.8(c)

Brief grasp of E17's hair (ponytail) from the rear in an otherwise legitimate tackle situation.

Existence of provocation - Reg 19.11.8(d)

Not relevant.

Whether player retaliated - Reg 19.11.8(e)

Not relevant.

Self-defence - Reg 19.11.8(f)

Not relevant.

Effect on victim - Reg 19.11.8(g)

None.

Effect on match - Reg 19.11.8(h)

None.

Vulnerability of victim - Reg 19.11.8(i)

None.

Level of participation/premeditation - Reg 19.11.8(j)

No premeditation.

Conduct completed/attempted - Reg 19.11.8(k)

Completed.

Other features of player's conduct - Reg 19.11.8(l)

None.

Assessment of Seriousness Continued

Entry point

<u>Low-end</u>	<u>Weeks</u>	<u>Mid-range</u>	<u>Weeks</u>	<u>Top-end*</u>	<u>Weeks</u>
<input checked="" type="checkbox"/>	2	<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 the above assessment, the Panel should consider the RFU Practice Note as set out in Appendix 5 to Regulation 19. Significant weight should be given to RFU regulation 19.11.8(a), 19.11.8(h) and 19.11.8(i).

Reasons for selecting entry point:

Reckless foul play with no injury.

Relevant Off-Field Mitgating Factors - Reg 19.11.10

Acknowledgment of the commission of foul Play & timing - Reg 19.11.10(a)	Player's disciplinary record - Reg 19.11.10(b)
Full and prompt.	Clear recors.
Youth and/or inexperience of player - Reg 19.11.10(c)	Conduct prior to and at hearing - Reg 19.11.10(d)
Not relevant.	Not applicable.

Remorse and timing of Remorse - Reg 19.11.10(e)	Other off-field mitigation - Reg 19.11.10(f)
Clear and timely.	None.

Number of weeks deducted: 1

Summary of reason for number of weeks deducted:

Player entitled to 50% discount given the mitigating factors present.

Additional Relevant Off-Field Aggravating Factors - RFU Regulation 19.11.13

Player's status as an offender of the laws of the game - Reg 19.11.13 (a)

Not relevant.

Need for deterrent to combat a pattern of offending - Reg 19.11.13(b)

Not applicable.

Any other off-field aggravating factor that the disciplinary panel considers relevant and appropriate - (including poor conduct prior to or at the hearing) Reg 19.11.13 (c)

None.

Number of additional weeks: 0

Games for meaningful sanctions:

Vs Sale Sharks Women (A) - 02/12/2023.

Sanction

NOTE: PLAYER ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING

Total sanction	1 match	Sending off sufficient	
Sanction commences	30/11/2023		
Sanctions concludes	07/12/2023		
Free to play	08/12/2023		
Final date to lodge appeal	01/12/2023		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	£125		

Signature (JO or Chairman)	J Summers	Date	30/07/2022
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NOTE: YOU HAVE THE RIGHT OF APPEAL AGAINST THIS DECISION AS SET OUT IN REGULATION 19.12 OF THE DISCIPLINARY REGULATIONS. YOUR ATTENTION IS SPECIFICALLY DRAWN TO THE TIME LIMIT AND DIRECTIONS/REQUIREMENTS RELATING TO AN APPEAL SET OUT IN REGULATION 19.12.9

ANY PERSON SUSPENDED UNDER THESE REGULATIONS IS REMINDED THAT UNDER RFU REGULATION 19.11.16 THE SUSPENDED PERSON MAY NOT PLAY THE GAME (OR ANY FORM THEREOF) OR BE INVOLVED IN ANY ON-FIELD MATCH DAY ACTIVITIES ANYWHERE WHICH INCLUDES (BUT IS NOT LIMITED TO) ACTING AS WATER CARRIER/ RUNNING ON A TEE ETC