

RFU SHORT JUDGMENT FORM



Match (home)	Northampton Saints	Vs (away)	Exeter Chiefs RFC
Club's Level	1	Competition	Premiership
Date of Match	12/11/2023	Match Venue	Northampton Saints

Particulars of Offence			
Player's Surname	Armstrong	Date of Birth	10/08/1999
Forename(s)	Niall	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Exeter Chiefs RFC	RFU ID No.	2541820
Type of Offence	Reckless or dangerous play		
Law 9 Offence	9.11		
Sanction	3 week suspension (reduced to 2 weeks on completion of the World Rugby CIP)		

Hearing Details			
Hearing Date	14/11/2023	Hearing venue	On paper
Chairmen/SJO	Matthew Weaver KC	Panel Member 1	Daniel Gore
Panel Member 2	Christian Scotland-Williamson	Panel Secretary	Rebecca Morgan-Scott
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 checked="" type="checkbox"/> Red Card report	<input type="checkbox"/> Player Statement	Video footage Yes
<input checked="" type="checkbox"/> Medical report	<input type="checkbox"/> Citing report	<input checked="" type="checkbox"/> Club Statement	<input type="checkbox"/> World Rugby Head Contact Process
Other (Please list below)			
RFU Regulations			



The Referee's Report describes the incident as follows:

I stopped the game due to an injury to NS10.

The TMO then alerted me to a foul play review.

Upon reviewing the incident on the screen it was agreed by the Team of Four match officials that Ex21 was not clearly off balance and thus he was in control of his jump (a jump he also landed further feeding into the assessment he was in control of the jump), the action to raise his leg was therefore unnatural, as he was not off balance, and thus a reckless act in that it led to Ex21 striking directly to the head with his studs/boot the face of NS10.

A red card was shown and the player left the field immediately.

The video footage accords with the Referee's description.

Matt Lee of Northampton Saints confirmed as follows:

Re: Finn Smith (vs Exeter Chiefs. Sunday 12th November)

- the above player was attended to on the field by Dr Lester (Team Dr) and Nathan Allwork (Physio) following a collision with an opponent.
- He reported having taken a boot/studs to the face.
- He was alert & orientated and passed an on-field examination regarding concussion injury and was not suspected to have sustained significant spinal injury.
- FS had superficial abrasions to right chin, nasolabial crease and below eye along with mild epistaxis. These abrasions did not require closure.
- The above abrasions were cleaned post match.
- FS has been reviewed today - he has increased swelling around the abrasions but no symptoms of concussion injury.
- He will continue to be monitored over the course of this week

Summary of Player's Evidence

On behalf of the Player, Exeter Chiefs provided written submissions which addressed the incident as follows:

The Player accepts that he committed the act of foul play as charged. Accordingly, these submissions are confined to the question of the appropriate sanction to be imposed. The player inadvertently raised his foot whilst in the process of taking the high ball in mid-air. It was not the Player's intention to make contact with the opposing player. By his plea the Player accepts that his execution and technique were poor leading to a reckless contact with the advancing tackler.

Findings of Fact

The Player admitted the charge. The Panel accepted that this was a reckless not intentional act and noted that Finn Smith only suffered minor abrasions as a result.

Decision

Breach admitted

Proven

Not Proven

Other Disposal (please state below)

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:

This was not an intentional act

Nature of actions - Reg 19.11.8(c)

The Player made contact with his boot to Finn Smith's face

Existence of provocation - Reg 19.11.8(d)

None

Whether player retaliated - Reg 19.11.8(e)

N/A

Self-defence - Reg 19.11.8(f)

N/A

Effect on victim - Reg 19.11.8(g)

Minor abrasions

Effect on match - Reg 19.11.8(h)

None

Vulnerability of victim - Reg 19.11.8(i)

N/A

Level of participation/premeditation - Reg 19.11.8(j)

Not premeditated

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 type="checkbox"/>		<input checked="" type="checkbox"/>	6	<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:

Given direct contact with the head, the mandatory minimum mid-range entry point applies. There is nothing in this incident to warrant a top-end entry point.

Relevant Off-Field Mitgating Factors - Reg 19.11.10

<u>Acknowledgment of the commission of foul Play & timing - Reg 19.11.10(a)</u>	<u>Player's disciplinary record - Reg 19.11.10(b)</u>
The Player admitted the charge at the earliest opportunity	The Player has a clean disciplinary record
<u>Youth and/or inexperience of player - Reg 19.11.10(c)</u>	<u>Conduct prior to and at hearing - Reg 19.11.10(d)</u>
The Player is 24 years old	N/A

Remorse and timing of Remorse - Reg 19.11.10(e)	Other off-field mitigation - Reg 19.11.10(f)
The Player apologised to Finn Smith after the game	

Number of weeks deducted: 3

Summary of reason for number of weeks deducted:
Given the Player's previous disciplinary record, his admission of guilt and his obvious remorse the Panel were content that he should receive the maximum 50% mitigation

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)
N/A
Need for deterrent to combat a pattern of offending - Reg 19.11.13(b)
N/A
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:

Games for meaningful sanctions:

The Player will be unavailable for the following matches:

19th November – vs Gloucester
26th November - vs Newcastle
2nd December – vs Bath

Should the Player successfully complete the World Rugby Coaching Intervention Plan, the sanction will be reduced by one week and, as such, the Player will be available for the match on 2 December 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	3 weeks	Sending off sufficient	
Sanction commences	14/11/2023		
Sanctions concludes	4/12/2023 (or 27/11/2023 if World Rugby CIP completed)		
Free to play	5/12/2023 (or 28/11/2023 if World Rugby CIP completed)		
Final date to lodge appeal	17/11/2023		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	£250		

Signature (JO or Chairman)	Matthew Weaver KC	Date	16/11/2023
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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