

RFU SHORT JUDGMENT FORM



Match (home)	Gloucester-Hartpury Women's RFC	Vs (away)	Loughborough Lightning RFC
Club's Level	1	Competition	Premiership Women's Rugby
Date of Match	06/01/2024	Match Venue	Gloucester-Hartpury RFC

Particulars of Offence			
Player's Surname	Goulden	Date of Birth	11/02/1993
Forename(s)	Elizabeth	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Gloucester-Hartpury Women's RFC	RFU ID No.	2330631
Type of Offence	Citing		
Law 9 Offence	9.13 - Dangerous Tackling		
Sanction	3 weeks/matches with permission to apply to World Rugby for Coaching Intervention		

Hearing Details			
Hearing Date	18/12/2023	Hearing venue	Remote
Chairmen/SJO	Martin Picton	Panel Member 1	Becky Essex
Panel Member 2	Martyn Wood	Panel Secretary	Rebecca Morgan-Scott
Appearance Player	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Appearance Club	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

Player's Representative(s):		Other attendees:	
James Forrester (Gloucester-Hartpury Womens RFC)		Sam Smith (Loughborough Lightning) Helen Nelson (Loughborough Lightning) Angus Hetherington (RFU)	
Conflict of Interests	Conflict raised <input type="checkbox"/> No conflict raised <input checked="" type="checkbox"/>	Conflict of Interests	Conflict raised <input type="checkbox"/> No conflict raised <input checked="" 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 checked="" 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 checked="" type="checkbox"/> World Rugby Head Contact Process
Other (Please list below)			



The citing report submitted by the Citing Commissioner stated:

Following a field kick executed by the GH player, the LL13 player brings back the ball from the crossing of their own 10m and 15m line to the GH's half. Then she faces a defender, she passes the ball to LL10, a supporting player on her left side. LL10 receives the ball within GH's half, positioned 13m from the left touchline and 5m deep. Progressing forward approximately 3 meters, she engages in a collision. Concurrently, GH22 runs forward from a distance to defense. At the point of impact, both players maintain an upright body position.

Prior to the tackle, GH22 pauses and rotates her upper body to the left, making contact with LL10's chin and throat area using her right shoulder. After the first contact, the right sides of their faces also come into contact during this interaction. The tackling player employs both arms to secure LL10 on her upper body, resulting in both players going to the ground due to the force of the collision. During the tackle GH22's right arm is constantly above the LL10's shoulder line. Subsequent to the incident, both players promptly resume play. The LL medical staff enters the field of play to offer assistance to LL10, who declines it.

The match officials, Referee (Richard Gordon) and Assistant Referee (Mike Woods), stand approximately 10 meters away from the collision. Their view is somewhat restricted as players move in front of them, and the Referee is positioned on the blind side of the contact.

Based on the Head Contact Protocol:

Is there head contact – yes

Is it foul play yes – yes

Degree of danger - high - noting injury is not a factor in determining the degree of danger

Is there any mitigation - no

In determining no mitigation, I looked at all the factors in the HCP

The player had a clear line of sight

There is no sudden change of height or direction by the ball carrier

The tackler whilst in control of her movement has made no attempt to lower her body height

The tackle is not passive in nature.

Therefore, I issue Gloucester-Hartpury's No.22, Elizabeth Goulden with a Full Citing contrary to law 9.13 of World Rugby's International laws of the game which states "A player must not tackle an opponent early, late or dangerously".

The video footage is consistent with the above description.

LL10 (Helen Nelson) was not conscious of head contact in the context of the tackle. She was conscious of a heavy collision. She was not conscious of any injury arising from the tackle. She did agree that the tackle was fast and dynamic.

There was no discernible injury to LL10 as a result of this tackle (although she later displayed signs of delayed concussion but that has to be considered in the context of her having received an earlier impact to her head).

Summary of Player's Evidence

The Player accepted that in making the tackle she was too upright and thus guilty of foul play. She emphasised that she did make an attempt to wrap in the tackle and also that she planted her feet in a manner that reduced her momentum. Given the dynamic nature of the tackle and the significance of the impact she queried whether there was direct impact between her shoulder and the neck/chin area of LL10. The Player did not believe there was any head-to-head contact and she said that she did not sustain any facial or other injuries herself. She accepted that she should have dipped her body and stated that she would learn from the experience. She made it very clear that she had no intention of committing an act of foul play or risking injuring another player.

On the Player's behalf it was argued that there was no direct contact with the head and therefore under the head contact protocol the act of foul play should be assessed as meriting a yellow card only.

Findings of Fact

We reviewed the video footage a number of times, both in real time and slow motion. Whilst LL10 may not have been conscious of an impact with her head we were quite sure that such did occur in this tackle that was acknowledged as amounting to an act of foul play. The reasoning of the citing commissioner, supported as it was in written submissions on behalf of the RFU, was fully evidenced by what could be seen. Whilst there may not have actually been any head-to-head impact the Player's shoulder clearly impacted upon the head of LL10 and did so directly. Accordingly, this offence merited a red card in the context of the analysis of the protocol as set out in the citing.

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:

The Player accepted when addressing the panel that she was responsible for a dangerous tackle that carried with it the risk of head contact as we found occurred here.

Nature of actions - Reg 19.11.8(c)

See above.

Existence of provocation - Reg 19.11.8(d)

NA

Whether player retaliated - Reg 19.11.8(e)

NA

Self-defence - Reg 19.11.8(f)

NA

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)

NA

Level of participation/premeditation - Reg 19.11.8(j)

The tackle was the responsibility of the Player to control.

Conduct completed/attempted - Reg 19.11.8(k)

Completed.

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

NA

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:

Mid-range due to head contact.

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)
The Player acknowledged the dangerous tackle in a statement submitted in response to the citing.	Good
Youth and/or inexperience of player - Reg 19.11.10(c)	Conduct prior to and at hearing - Reg 19.11.10(d)
NA	Exemplary.

Remorse and timing of Remorse - Reg 19.11.10(e)	Other off-field mitigation - Reg 19.11.10(f)
Immediate and fulsome.	

Number of weeks deducted: 3

Summary of reason for number of weeks deducted:
We considered the Payer to be entitled to the full 50% mitigation available. We also considered that she should be able to benefit from undertaking the World Rugby Coaching Intervention should she so choose.

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

Number of additional weeks: 0

Games for meaningful sanctions:

13th January 2024 versus Trailfinders Women
20th January 2024 versus Saracens Women
3rd February 2024 versus Leicester Tigers Women (unless World Rugby for Coaching Intervention completed by that stage)

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	weeks/matches	Sending off sufficient	
Sanction commences	11th January 2024		
Sanctions concludes	5th February 2024 (subject to undertaking World Rugby Coaching Intervention)		
Free to play	6th February 2024 (subject to undertaking World Rugby Coaching Intervention)		
Final date to lodge appeal	12/01/2024		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	£250		

Signature (JO or Chairman)	M Picton	Date	11/01/2024
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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