

RFU SHORT JUDGMENT FORM



Match	Exeter Chiefs RFC	Vs	Sale Sharks RFC
Club's Level	Level 1	Competition	Gallagher Premiership
Date of Match	25.01.2020	Match Venue	Exeter

Particulars of Offence			
Player's Surname	Van Rensburg	Date of Birth	11.09.94
Forename(s)	Rohan Janse	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Sale Sharks RFC	RFU ID No.	02282043
Type of Offence	Citing		
Law 9 Offence	Law 9.13 - Dangerous tackling		
Sanction	Citing dismissed - yellow card sufficient		

Hearing Details			
Hearing Date	04.04.02	Hearing venue	Double Tree Hilton, Chester
Chairmen/SJO	Samantha Hillas	Panel Member 1	John Downham
Panel Member 2	John Greenwood	Panel Secretary	Rebecca Morgan
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:
Steve Diamond	Steve Flynn, Counsel for RFU

List of documents/materials provided to player in advance of hearing:
Hearing bundle comprising the following documents:-
1. Charge sheet 2. Sanction table extract 3. Citing report Paul Hull 25.01.20 4. World Rugby Decision Making Framework for High Tackles 4. World Rugby memorandum 14.12.16 'Law Application Guideline - Contact to the Head' 5. Email Adam Reuben, Exeter Chiefs club doctor 27.01.20
Video footage of the incident was available to view

The Citing Report of the incident read as follows:-

"From a Sale restart, they kicked right and long; they have a good chase with No 12 (Rohan Janse Van Rensburg) leading chase. Exeter's No 10 (Gareth Steenson) catches the ball and almost immediately gets tackled high by Janse Van Rensburg. Janse Van Rensburg sprinted from the half way line after the kick off, had a clear line of sight and didn't slow down to adjust to the tackle/contact situation, he didn't have any control and the tackle was highly dangerous! The actual tackle was an upright tackle, with a lot of force, they was a arm wrap but due to the height of the tackler contact was high on chest and head, forcing a nasty clash of heads.

The incident was reviewed by the Referee (JP Doyle) and the TMO (Geoff Warren) and after a lot of deliberation Doyle issued a yellow card. Rohan Janse Van Rensburg went off for a HIA due to the collision and wasn't replaced when the sin bin time had elapsed.

In my opinion the tackle was dangerous, had a lot of force, he had a clear line of sight of the ball carrier, they was no control from the tackler and contact was made direct to the head; this is a clear breach of Law 9.13, so I am issuing a Full Citing to the Sale Sharks No 12 (Rohan Janse Van Rensburg)."

The footage shows the incident from two angles: the first showing the point of impact from behind and to the right of Van Rensburg and the second showing the point of impact face on to Van Rensburg. It shows the Sale kick described in the citing report, the Van Rensburg chase and the tackle on Steenson. Van Rensburg approaches Steenson at speed but square on, with his arms out to wrap. Van Rensburg is upright but does dip into the tackle. Steenson also dips, ready to push off his right leg. The footage does not show contact been Van Rensburg's shoulder and Steenson's head - it is a shoulder/shoulder contact. Steenson's head is not propelled backwards, but it does catch Van Rensburg's chin and appears to knock him out, at which point Van Rensburg loses his grip and falls to the ground.

Essential Elements of Other Evidence (e.g. medical reports)

The citing report confirms that Van Rensburg was injured, received medical treatment from his medical team, went off for an HIA and was not replaced when the YC time had elapsed. This was confirmed by Van Rensburg and Sale Sharks RFC at the hearing.

The citing report confirms that Steenson continued play without medical treatment. This was also confirmed by Exeter Chiefs' club doctor Adam Reuben in his email of 27.01.20 which states "I reviewed Gareth immediately after the highlighted incident. There were no medical concerns and he was deemed fit to continue playing without [the] need for further off pitch assessment".

Summary of Player's Evidence

There was no written statement from the Player, but he confirmed in his evidence the mechanism of the incident as submitted on his behalf by Mr Diamond, namely:

- Sale are coached to kick high and it is the job of the chasing player to wrap the receiver and keep them on their feet
- The footage shows that the receiving player dips by 10 or 12 inches
- It is denied that the tackle is uncontrolled: nothing in the laws of rugby to say the chasing player cannot run quickly or hit hard
- At 19 seconds on the footage, it shows the Player in control, with his shoulders square: there is an attempt to keep opposition player on his feet and it was a chest to chest contact
- As Steenson has ducked, the Player's chin was caught by Steenson's head – it was a slight touch but a "knock out blow"
- The TV footage (which continued beyond the section of footage provided for the hearing) shows the referee asking to review the incident to see if there is shoulder to head contact in open field: he concludes it was shoulder to shoulder contact and then a clash of heads, so cards him for a reckless tackle
- This referee is extremely experienced and the TMO is the third most experienced TMO in the world
- They agree with the TMO and referee who have seen it exactly as it was
- They do not agree it passes the red card test

The Player also confirmed that:

- He had no intention of hurting the player and in fact came off worse
- It was a wrap tackle: he dipped down to get the wrap around but Steenson also dipped down as well
- Steenson's head hit his chin and knocked him out
- Steenson was not injured

The Panel found on the balance of probabilities that:

- The Player sprinted from the half way line after the kick off and had a clear line of sight
- He did not slow down into the tackle but did not accelerate into it
- He remained in control for the first part of the tackle and that, as submitted, his intention was to wrap the receiving player and hold him up
- The tackle was high
- The footage does not show shoulder to head contact, but the players' shoulders collide
- As Steenson dips in anticipation of the tackle, the top of his head catches the Player's chin
- The Player appears to be knocked out by the blow to his chin, automatically releases his grip and falls to the ground
- Following the Decision Making Framework, the tackle falls into (3) namely a high tackle with shoulder or head contact
- When considering the degree of danger, none of the three 'Preparation' indicators were present (i.e. the tackler did not draw his arms back prior to the tackle, the tackler did not leave the ground and the tackler's arm does not swing forward prior to contact)
- As to the 'Contact' indicators, whilst the tackler is attempting an active tackle, on the balance of probabilities his intention was to wrap the receiver and keep him on his feet. The tackler was travelling at speed but does not accelerate into the tackle nor is there a rigid arm/elbow making contact with the ball carrier's head as part of a swinging motion
- As to the 'Follow through' indicator, the tackle was incomplete as the player was knocked out and released his grip
- Following the Decision Making Framework therefore, the Panel considered on the balance of probabilities that the degree of danger was low and that the referee's decision to award a yellow card was correct
- In the circumstances, the citing was not upheld.

Decision

Breach admitted Proven Not Proven Other Disposal (please state below)

The Player admitted the 9.13 charge of dangerous tackling but it was submitted on his behalf for all the reasons set out above that the yellow card awarded by the referee after deliberation with the TMO was correct. The Panel agreed with those submissions.

For that reason, the citing, which alleged the incident passed the red card test, was not upheld.

The remainder of this form is deliberately left blank save for details in the final box on page 10.

SANCTIONING PROCESS



Assessment of Seriousness

Assessment of intent - Ref 19.11.8

PLEASE TICK APPROPRIATE BOX 19.11.8(a) Intentional/deliberate 19.11.8(b) Reckless

Reasons for finding as to intent:

Gravity of player's actions - Reg 19.11.8(c)

Nature of actions - Reg 19.11.8(d)

Existence of provocation - Reg 19.11.8(e)

Whether player retaliated - Reg 19.11.8(f)

Self-defence - Reg 19.11.8(g)

Effect on victim - Reg 19.11.8(h)

Effect on match - Reg 19.11.8(i)

Vulnerability of victim - Reg 19.11.8(j)

Level of participation/premeditation - Reg 19.11.8(k)

Conduct completed/attempted - Reg 19.11.8(l)

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

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 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 this assessment, the JO/committee should consider RFU Regulation 19

Reasons for selecting entry point:

Additional Relevant Off-Field Aggravating Factors - Reg 19.11.10

Player's status as an offender of the laws of the game - Reg 19.11.10 (a)

Need for deterrent to combat a pattern of offending - Reg 19.11.10(b)

Any other off-field aggravating factor that the disciplinary panel considers relevant and appropriate -
Reg 19.11.10 (c)

Number of additional weeks:

Relevant Off-Field Mitigating Factors	
Acknowledgement of guilt and timing - Reg 19.11.11(a)	Player's disciplinary record/good character - Reg 19.11.11(b)
Youth and inexperience of player - Reg 19.11.11(c)	Conduct prior to and at hearing - Reg 19.11.11(d)
Remorse and timing of Remorse - Reg 19.11.11(e)	Other off-field mitigation - Reg 19.11.11(f)

Number of weeks deducted:

Summary of reason for number of weeks deducted:

Games for meaningful sanctions:

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	Sending off sufficient
Sanction commences	
Sanctions concludes	
Free to play	With immediate effect
Final date to lodge appeal	06.02.2020
Costs (please refer to Reg 19, Appendix 3 for full cost details)	Nil

Signature
(JO or Chairman)

Samantha Hillas

Date

4 February 2020

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