

# RFU SHORT JUDGMENT FORM



Match	Wasps FC	Vs	Worcester Warriors
Club's Level	1	Competition	Gallagher Premiership
Date of Match	15/05/2021	Match Venue	Wasps

Particulars of Offence			
Player's Surname	Morris	Date of Birth	13/12/1991
Forename(s)	Ben	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Wasps FC	RFU ID No.	273592
Type of Offence	Red card		
Law 9 Offence	9.13 - Dangerous Tackle		
Sanction	3 weeks		

Hearing Details			
Hearing Date	19/05/2021	Hearing venue	Papers only
Chairmen/SJO	Charles Cuthbert	Panel Member 1	Bobby Graham
Panel Member 2	Tony Wheat	Panel Secretary	Rebecca Morgan
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:
None	None

## List of documents/materials provided to player in advance of hearing:

Hearing bundle which included the following documents:-

1. Charge sheet
2. Red card report
3. Extract from sanction table
4. World Rugby HCP
5. Letter from Daniel Walton, Physiotherapist at Worcester Warriors
6. Letter from Dave Bassett, Wasps Team Manager including written submissions, character reference from Lee Blackett and Wasps fixture list
7. RFU written submissions

The Referees red card report said as follows:-

I STOPPED THE MATCH AFTER OBSERVING A WORCESTER PLAYER HOLDING HIS HEAD ON THE FLOOR INJURED FOR A PROLONGED PERIOD OF TIME. AFTER STOPPING PLAY I WAS INFORMED BY THE TMO THAT I NEEDED TO CHECK THE INCIDENT FOR POTENTIAL FOUL PLAY. ONCE I REVIEWED THE FOOTAGE ON THE STADIUM SCREEN I OBSERVED THE FOLLOWING AND FOLLOWED THE HTF; WASPS 6 MADE DIRECT CONTACT WITH HIS SHOULDER TO WORCESTER 22. WASPS 6 WAS UPRIGHT IN THE TACKLE AND HE COULD HAVE TACKLED LOWER. I DEEMED THE ACTION TO BE HIGH DANGER WITH NO MITIGATION THEREFORE SENT WASPS 6 OFF.

The match footage was available and showed the incident from a number of angles and at varying speeds. The footage reflected the description provided by the Referee in his report.

Worcester Warriors provided a medical report from Doctor Patrick O' Halloran following the assessment of Ollie Lawrence (OL):-

"During the second half player tackled by two players receiving the kickoff. Takes the high ball and runs a few steps before one tackle to his body and then a subsequent higher tackler with contact to his head. Player then stayed down when play moved on, on all fours. Physio first to arrive and took MILS. When I arrived player was completely alert and responding appropriately complaining of pain in his ribs from the first tackle. Maddocs questions answered correctly and responses appropriate. Directly questioned about symptoms of neck pain or of concussion and player denied all, only complaint was of rib pain and feeling winded.

MILS removed and player assisted to sit back into a kneeling position. Against questioned about symptoms of concussion and player denied all. ICD had arrived on pitch and reported the video was being reviewed by MDD. At this time review was being played on the stadium screen to assist the TMO/Referee and I was satisfied there were no Category 1 signs.

Finally checked the player again and he denied all symptoms of concussion and responded entirely appropriately to my questions. Therefore I was satisfied HIA1 was not required.

Off pitch then, reviewed the video with MDD and explained the outcome of my on pitch assessment. Video demonstrates contact to the head but player does not display any category 1 signs and fights on the floor to appropriately present the ball. Then, when play moves on, player gets himself into a position on all fours with arms stretched above his head, akin to "child's pose".

After discussion of the video features and on pitch assessment with MDD, reached agreement that HIA1 was not required.

Subsequently checked the player during breaks in play and post match and concussion symptoms denied, responses remained appropriate throughout “.

## Summary of Player's Evidence

In written submissions, the Player accepted that whilst there had been a change in OL's body shape and height due to the tackle by Paolo Odogwu, this was marginal. He accepted that his shoulder had made contact with the head of OL.

In accepting that the mandatory minimum entry point of mid-range would apply, the Club urged the Panel to remain at mid-range for the following reasons:-

(a)(b); It is the view that the Player acted recklessly when making the tackle, in that he did not drop his body height sufficiently to ensure that the point of contact was lower, this resulted in direct contact with OL's head.

(c)(d); The gravity and nature of the Player's actions were not an extreme type of those ordinarily connected to foul play of this kind.

(e)(f)(g); the player did not act under provocation in self-defence or in retaliation.

(h)(i); the Panel will have the benefit of correspondence from Worcester Warriors which confirms that OL did not suffer any injury because of the contact. The fact that he stayed down was in relation to the legal tackle made by Wasps 13 Paolo Odogwu. No HIA was required, he played on, and he remains fit with no subsequent issues.

(j); OL could be described as vulnerable as he was already being tackled by Wasps 13. His head was exposed and vulnerable at the point which direct contact was made.

(k)(l); the Player was the sole participant in the offence and his offending conduct was completed.

(m); There are no other relevant factors.

The RFU also submitted that a mid-range entry point was appropriate given that this was a reckless action (not intentional), not the most serious type of offending (of this kind), there was no injury caused to the Worcester Player and there was limited vulnerability.

## Findings of Fact

The Panel agreed with the assessment of both the Club and RFU and found that this was a reckless action caused by the Player attempting to make a tackle whilst in an upright position.

There is direct contact between the Player's shoulder and the head of Ollie Lawrence. Following the HCP this is a red card as accepted by the Player.

## 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/deliberate

19.11.8(b) Reckless

Reasons for finding as to intent:

The Player's upright body position led to contact between his shoulder and OL's head. IT was not a deliberate attempt to make a high or dangerous tackle.

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

There was no significant force in the tackle.

Nature of actions - Reg 19.11.8(d)

Direct shoulder to head contact.

Existence of provocation - Reg 19.11.8(e)

None

Whether player retaliated - Reg 19.11.8(f)

None

Self-defence - Reg 19.11.8(g)

None

Effect on victim - Reg 19.11.8(h)

None, the Worcester Player was assessed on-field but sustained no injury.

Effect on match - Reg 19.11.8(i)

None

Vulnerability of victim - Reg 19.11.8(j)

To a limited extent he was vulnerable as are all Players where there is direct head contact.

Level of participation/premeditation - Reg 19.11.8(k)

This was not a premeditated action

Conduct completed/attempted - Reg 19.11.8(l)

The conduct was complete.

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

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

Reasons for selecting entry point:

The mandatory minimum mid-range entry point was considered the appropriate entry point by the Panel on the basis it was reckless, no injury was caused and there was limited vulnerability of the opposition Player.

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)

Not applicable

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

None



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

None

Number of additional weeks: 0

Relevant Off-Field Mitgating Factors	
<b>Acknowledgement of guilt and timing - Reg 19.11.11(a)</b>	<b>Player's disciplinary record/good character - Reg 19.11.11(b)</b>
The Player accepted the charge at the earliest opportunity.	He has a clean disciplinary record.
<b>Youth and inexperience of player - Reg 19.11.11(c)</b>	<b>Conduct prior to and at hearing - Reg 19.11.11(d)</b>
The Player is an experienced professional player. He has played 31 games for Wasps whom he joined in 2018, having previously played for Nottingham 2015-2018 and prior to that being a member of Newcastle Falcons Academy spending time on loan to Rotherham RFC. The Panel did not consider that this should be considered against him.	The matter was dealt with on the papers but the Player properly and helpfully engaged with the process.
<b>Remorse and timing of Remorse - Reg 19.11.11(e)</b>	<b>Other off-field mitigation - Reg 19.11.11(f)</b>
He apologised on the field of play.	The Player provided a positive character reference from Lee Blackett, Wasps Head Coach.

Number of weeks deducted: 3

**Summary of reason for number of weeks deducted:**

The Panel were satisfied that the Player met the full mitigation criteria and particularly in respect of his early acceptance and clean record, were able to award the full 50% mitigation.

Games for meaningful sanctions:

29.05 v Northampton Saints  
05.06 v London Irish  
12.06 v Leicester Tigers

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	18.05.2021		
Sanctions concludes	14.06.2021		
Free to play	15.06.2021		
Final date to lodge appeal	21.05.2021		
Costs (please refer to Reg 19, Appendix 3 for full cost details)	£250		

Signature (JO or Chairman)	Charles Cuthbert	Date	20.05.2021
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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