

# DISCIPLINARY DECISION

Match	Wales v Australia		
Player's Union	Rugby Australia	Competition	2024 Autumn Nations Series
Date Of Match	Sunday 17 November 2024	Match venue	Principality Stadium, Cardiff Wales
Applicable Rules	World Rugby's regulations ( <b>WRR</b> ) 17, 18 and 20, as supplemented by the 2024 Autumn Nations Series Disciplinary Rules ( <b>DR</b> )		

PARTICULARS OF OFFENCE			
Player's Surname	Kerevi	Player's Forename(s)	Samu
Player's Date Of Birth	27/09/1993	Referee's Name	James Doleman (NZR)
Foul play	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	Red card warranted	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted
Offence	Law 9.13 - A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes, but is not limited to, tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders	Select: Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/> If "Other" selected, please specify:	
Summary of sanction	3 weeks/matches (with WR Judicial Committees agreement that 1 week of sanction may be replaced by the successful completion of a 'Coaching Intervention for Sanction Mitigation' 'CISP' Process		

HEARING DETAILS			
Hearing date	Tuesday 19 November 2024, 7pm [GMT]	Hearing venue	Zoom call
Chairman/JO	Brenda Heather-Latu MBE		
Other Members of Disciplinary Committee	Donal Courtney (former International Referee- Ireland) Becky Essex (former England International)		
Appearance Player	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Appearance Union	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Player's representative(s)	Aaron Lloyd, Player's Counsel (NZ) Chris Thomson, Aus Team Manager	Disciplinary Officer and/or other attendees	Tom Price DO Annie Quantrill, SNRL Max Duthie, Legal Counsel SNRL

<p>List of documents/ materials provided to Player in advance of hearing</p>	<ul style="list-style-type: none"> <li>• Report of the Referee</li> <li>• Report of the TMO</li> <li>• Report of the FPRO</li> <li>• Statement by Jac Morgan Wales Player</li> <li>• Statement from Dr Geoff Davies (Wales Medic)</li> <li>• Video Footage comprising Broadcast Footage and additional clips/views</li> </ul>
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<b>SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE’S REPORT/INCIDENT FOOTAGE</b>
<p>A Yellow card was issued by the Referee to Australia No 12 Samu Kerevi for a dangerous tackle on Wales No 12 Jac Morgan in the 41<sup>st</sup> minute of the second half of the game.</p> <p>In his report the <b>Referee</b> stated :</p> <p>“#12 Australia tackled Wales #7 dangerously. There was direct contact to the head with high force. There was no sudden or significant drop in height or late charge of direction by the ball carrier #7 Wales.”</p> <p>The yellow card was issued and also sent for review by the TMO The <b>TMO</b> Marius van der Westhuizen [SARU] in his report stated:</p> <p>“The tackle the player made contact with the head of an opponent at high speed. I determined that this is foul play and that it met the Yellow card threshold.”</p> <p>The Foul Play Review Officer <b>FPRO</b> Richard Kelly [NZR] in his report stated:</p> <p>“#12 Australia tackled Wales #7 dangerously 9.13. There was direct contact to the head with high force. There was no sudden or significant drop in height or late charge of direction by the ball carrier #7 Wales. Working through the foul play guidelines and all angles I had available at the time I was not able to apply any mitigation to this tackle. The report circles if HCP applied a HIGH degree of danger and no mitigation applied”</p> <p>The Yellow card issued by the Match Referee was subsequently upgraded to a Red Card The video footage was consistent with the Match Officials reports.</p>

<b>ESSENTIAL ELEMENTS OF OTHER EVIDENCE (e.g. medical reports)</b>
<p>The Wales Team Doctor in his statement said:</p> <p>“I attended to Jac Morgan (Red 7) during the Wales V Australia game on Nov 17th 2024. This was because of a tackle by an opponent which subsequently resulted in a Red Card sanction. When assessed on the field of play he was orientated in time, place and person and correctly answered his Maddocks questions. He had no concussion symptoms or signs. He was complaining of a sore lower jaw primarily. He had no bony tenderness or signs of a mandibular fracture. We managed him as a bruise to the lower jaw and cleared him to continue playing.”</p> <p>The tackled Welsh player #7 in a statement said: “As I took the ball into contact I tried to change at the last second to avoid Gold 12 but felt impact. I was checked by the team doctor and deemed fine to continue playing. Gold 12 made a point of finding me and apologising post match.”</p> <p>The Player’s legal counsel: Mr Lloyd submitted two clips and included still shots of two examples of similar tackles from recent Autumn international games, which he said in both instances resulted in the issue of Yellow cards which were not upgraded or cited, and were consistent with the analysis adopted in the Players submissions.</p> <p>The Committee determined that whilst these clips were provided by the Player in order to seek consistency in treatment, they were not relevant to the facts and material before the Committee, and the issues before the Committee which centered upon the application of the Head Contact Process to the actual incident.</p>

### SUMMARY OF PLAYER'S EVIDENCE

The Player was fully engaged during the hearing and was candid, honest and articulate.

He gave detailed responses to questions from his counsel, as well as from members of the Committee, which clarified what he was assuming, intending and anticipating immediately prior to, and in the course of, his tackle on Wales # 7.

The Player had also anticipated that the Welsh player would move to his left side, so he said :

“..,so I lined up to the left”

but at the last minute, the Welsh Player plants his feet and changes to get closer:

“ to drop or tries to ‘bop me” leaving the Player

“trying to wrap” but had no opportunity to change his stance before connecting with the Welsh Players right shoulder and head.

The Player said the impact of the tackle was largely felt through his shoulder and he felt the top of his head connect with the bottom of the Welsh Players chin and said ‘I didn’t feel a lot’ and felt head contact, but the contact was felt on top of my head.

His counsel submitted that it was indirect contact with the head with low to medium impact but not a high degree of danger with mitigating features of the tackle being :

- A sudden drop in height and direction from where the Player had anticipated; and
- The combination of the drop in the height of the Wales player and the deviation from the path expected caused the collision

The Player’s Counsel submitted that he had his knees bent, had his arms ready to wrap and was acting responsibly and trying to exercise a degree of control.

The Player acknowledged that he could have been lower before the tackle, in which case he would have tackled around the waist, and accepts that he was reckless and there was foul play, but considers there was low to medium danger and there were sufficient mitigating factors: such as the drop of the other player, the late change in dynamics, the effort to bind and no time to adjust to warrant the submission that the actions of the Player did not meet the Red Card threshold and should be expunged.

**FINDINGS OF FACT**

The Committee makes the following findings of fact:

- The Player (shortly after the start of the second half of the Australia v Wales game) committed an act of Foul Play under Law 9.13 by making a dangerous tackle of Wales #7 which caused direct head contact between the Wales player and himself;
- The Player tackled the Wales player in an upright position and was unable to change his stance to react to the other players actions, and there was a high degree of danger posed to the Wales Player because :
  - There was direct contact between the two players to the shoulders and heads of both players;
  - The head contact was with a high degree of force as both players were moving quickly: the Wales Player to secure possession of the ball in his arms, and the Player seeking to either to interrupt the progress of the ball by the carrier, or secure the ball in the opponents' possession;
  - The incident was fast moving and dynamic

The Committee acknowledged the existence of mitigating factors thoughtfully submitted on behalf of the Player, focusing upon the intent and nature of the contact, but these factors were simply inadequate to overcome the reports of the three match officials, together with this Committee , which found that the head contact was at high speed and direct, undertaken with high force, and thus, in the view of this Committee, reflected a High degree of danger and reckless, and therefore meeting the ‘Red Card’ Threshold which is upheld by the Committee.

The Committee considered that the dangerous tackle was a result of poor technique, rather than by design, and by remaining upright and not lowering his body position prior to the tackle, the collision was inevitable in the upper body/ head area. There was however no sign of any malice whatsoever, and the Players actions were considered to be reckless and not intentional

**DECISION**

Foul play	Admitted <input checked="" type="checkbox"/> Determined <input type="checkbox"/> Not determined <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/>
Red card warranted	Admitted <input type="checkbox"/> Determined <input checked="" type="checkbox"/> Not determined <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/>

**SANCTIONING PROCESS**

**ASSESSMENT OF SERIOUSNESS**

Assessment of intent – WRR 17.18.1(a)-(b)
Intentional/deliberate <input type="checkbox"/> reckless <input checked="" type="checkbox"/>
State reasons
The Committee considered that the dangerous tackle was in the course of a fast moving play where both players were committed to controlling the ball. In such circumstances, the Player’s actions were considered to be reckless and not intentional.
Nature of actions – WRR 17.18.1(c)
The Player attempted to make a tackle, assuming the oncoming player would take a certain path, which he didn’t, but the Player was unable to readjust his stance or height due to the fact he was upright and not lower in relation to the Wales player, resulting in a forceful head to head clash with the other player. The Wales Player stated he was trying to change at the last minute
Existence of provocation – WRR 17.18.1(d)
NIL
Whether Player retaliated – WRR 17.18.1(e)
NIL
Self-defence – WRR 17.18.1(f)
NIL
Effect on victim – WRR 17.18.1(g)
The Wales player was shaken, but able to continue playing according to the Wales Team Doctor’s statement.
Effect on match – WRR 17.18.1(h)
It was at the start of the second half with Australia leading 19 13 over Wales
Vulnerability of victim – WRR 17.18.1(i)
The Wales Player was running with the ball and the Player was running towards him, and so it was dynamic fast moving event which culminated in a heavy tackle on the Wales player and a head collision with force and momentum.
Level of participation/premeditation – WRR 17.18.1(j)
The Player fully participated in the tackle and no other players were involved.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
The tackle was completed and the Player admitted that he should have been lower in position to avoid the risk of a head collision such as occurred in this instance and was avoidable.
Other features of player’s conduct – R 17.18.1(l) (or equivalent Tournament rule)
The Player had his arms out, clearly intending to bind, in his attempt to tackle Wales # 7.

**ASSESSMENT OF SERIOUSNESS CONTINUED**

Entry point					
Top end*	Weeks/matches	Mid-range	Weeks/matches	Low end	Weeks/matches
<input type="checkbox"/>		<input checked="" type="checkbox"/>	6	<input type="checkbox"/>	

\*If top end, the JO or Disciplinary Committee must identify, based on his/her/its assessment of the seriousness of the conduct, an entry point between the top end and the maximum sanction and provide the reasons for selecting this entry point, below (WRR 17.18.2).

Reasons for selecting entry point above top end
N/A

**RELEVANT OFF-FIELD MITIGATING FACTORS**

Acknowledgement of guilt and timing – WRR 17.19.1(a)	Player’s disciplinary record/good character – WRR 17.19.1(b)
Early admission that there was Foul Play	No previous Red Cards
Youth and/or inexperience of player – R 17.19.1(c) (or equivalent Tournament rule)	Conduct prior to and at hearing – R 17.19.1(d) (or equivalent Tournament rule)
Is an experienced International Player	Excellent and his candour was of great assistance to the Committee
Remorse and timing of remorse – R 17.19.1(e) (or equivalent Tournament rule)	Other off-field mitigation – R 17.19.1(f) (or equivalent Tournament rule)
Sought out Wales Player and apologized after the game clearly	

Number of weeks/matches deducted:

3

Summary of reason for number of weeks/matches deducted:

The Committee has applied the full 50% reduction of 3 weeks from the mid level starting point for sanctions under Law 9.13 due to the Players:

- Admission of Foul Play at the earliest opportunity
- Clean playing record with no previous Red Cards
- Candour, engagement and attitude during the hearing

Remorse and act of contacting the Wales Player to apologize immediately after the game

**RELEVANT OFF-FIELD AGGRAVATING FACTORS**

Player's status generally as an offender of the Laws of the Game – WRR 17.20.1(a)
N/A
Need for deterrence – WRR 17.20.1(b)
N/A
Any other off-field aggravating factors – WRR 17.20.1(c)
N/A

Number of additional weeks/matches:


NIL

**SANCTION**

**NOTE:** PLAYERS ORDERED OFF OR CITED ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – WRR 17.12.5(f) and 17.13.7.

Total sanction	3 weeks (reduced to 2 weeks upon successful completion of World Rugby CISP)	Sending off sufficient <input type="checkbox"/>
Sanction commences	Wednesday 20 November 2024	
Sanction concludes	Monday 2 December 2024 (in the event that the World Rugby CISP is successfully completed). Otherwise, Monday 9 December 2024	
Matches/tournaments included in sanction	24 November 2024 – Scotland vs Australia, Autumn Nations Series (ANS) 1 December 2024 – Urayasu D-Rocks vs Black Rams Tokyo, Pre-Season 7 December 2024 – Urayasu D-Rocks vs NEC Green Rockets, Pre-season*  * The player has additionally been given permission to apply to take part in World Rugby's CISP to substitute the final match of their sanction	

Costs	NIL
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Signature (JO or Chairman)		Date	Wednesday 20 November 2024
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**NOTE:** THE PLAYER WILL HAVE 48 HOURS FROM THE DATE OF RECEIPT OF THE WRITTEN DECISION TO FILE AN APPEAL WITH THE ADMINISTRATOR – DR 6.2(a). TO BE EMAILED TO [disciplinary@sixnationsrugby.com](mailto:disciplinary@sixnationsrugby.com).