



DISCIPLINARY HEARING

PARTICULARS OF OFFENCE			
Player's Name	NATALIA GAVASHELISHVILI		
Player's Union	GEORGIA		
Match	MOLDOVA v GEORGIA		
Competition	Women 7s Trophy		
Date of match	20.06.2021		
Match Venue	Zagreb, CROATIA		
Rules to apply	Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program; or Other		
Referee Name	MARIA GIOVANI PACIFICO	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	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.	<input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	23.06.2021	Hearing venue	On remote (Microsoft Teams meeting)
Chairperson/JO	Irina PETRE, Judicial Officer of the Tournament		
Other Members of the Disciplinary Panel			
Appearance Player	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Appearance Union	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Player's Representative(s)	International Relations Manager - Natalie Kurtanidze Georgian Women's Team Manager - Ia Khurtsilava	Other attendees	David Baird-Smith Rugby Europe
List of documents / materials provided	<ul style="list-style-type: none"> - Citing Commissioner Report - Pictures of the incident, - Video Clip of the incident 		

to Player in advance of hearing	<ul style="list-style-type: none"> - Referee’s Report on a temporary suspension - 7s Tournament Gamesheet
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SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE’S REPORT/INCIDENT FOOTAGE

“The Georgian player no.3 in an upright position with a clear view of the ball carrier and time and space to react uses its shoulder and collarbone to make a high, direct, dangerous and forceful contact with the face of the ball carrier. The victim player has been advised that her nose may be broken and she should obtain an x-ray. The referee was circa 8 m from incident and issued a temporary suspension but camera angle indicated a direct, dangerous and forceful contact with the Moldavian ball carrier (Moldova 8), which constitutes foul play contrary to Law 9.13 “dangerous tackling” which meets the RC threshold, requiring citing.”

The citing report is a quite accurate description of the incident. In addition to the report, on reviewing the footage, the following can be added:

The Player stretches her body and propels herself towards Moldova 8 such that at the moment of contact her feet leave the ground, thus adding her body mass to the force of impact. The victim's head can be seen recoiling backwards violently. The Player does not attempt to immediately release / withdraw nor to pull out of contact but completes the tackle instead. Moldova 8 is brought to the ground, remains there and subsequently receives medical care. After a prolonged break she resumes playing but she can be seen checking repeatedly her nose within the roughly one and a half minutes left from the first half. She is replaced at halftime and does not re-join the match."

ESSENTIAL ELEMENTS OF OTHER EVIDENCE (e.g. medical reports)

The tackled player, Diana Ursu fell on the ground after she was hit in the nose and stayed there suffering of obvious strong pain; she received medical examination on the field and it was decided that she can continue to play; however, the video of the game shows that after the tackle the player was constantly touching her nose, moved in large circles, did not seem to be able to concentrate on the game, was replaced in the second half and did not re-join the match. After the competition she accused a light headache and analgesics were administered. Back home, she is now under continuous medical monitorisation and was recommended to rest and to avoid physical effort for a couple of days

SUMMARY OF PLAYER’S EVIDENCE

The player stated from the beginning that only after the incident she realised what she did and *“she was shocked as she does not have a history of high tackles in her whole rugby experience”*. She added that *“the tackle was on the opponent’s shoulders as she wanted to catch both the carrier and the ball but then she noticed that the ball slipped away she immediately tried to release the ball carrier and not to complete the tackle”*. She also mentioned that, she thought *“she did not harm too much the player”*.

Being shown the video of the relevant sequences of the foul play and faced with:

- (i) the strong blow into the opponent’s face,

- (ii) which was a consequence of the high contact, feet leaving the ground, with the collarbone of the player,
- (iii) that made her victim's head recoiling abruptly backwards
- (iv) completed tackle without any attempt to release or pull out of contact

and interviewed on why she jumped and propelled herself with such high force towards her opponent's head she answered that *"all happened very unexpectedly in the game and she realised how seriously dangerous the tackle was only when being shown the footage but not during the match"*. She repeated that *"she did not realise what happened"*, *"it was all at high speed and happened really quickly"* but *"she never made high tackle before"*. She now realises how dangerous it all was and is extremely sorry for everything what happened.

Being asked why she did not show immediately preoccupation for her opponent's medical condition after impact she stated that *"she wanted to keep the distance in order to allow the doctors to make their job"* but she apologized to the Moldavian 8 after the match.

She therefore accepted the Citing Commissioner's description of events, but affirms that she is shocked and regrets everything what happened.

The player is a captain since 2015 and is extremely experienced.

On being asked if she is familiar with the Head Contact Process Guidelines, she confirm that she knows the danger of high, head tackle and accepts that she should be a model for her team. She is in tears and shows regret and remorse.

Her attitude during the hearing is highly respectful, genuine and apologetic. She seems deeply affected in particular when she hears about the pains reported by her opponent.

FINDINGS OF FACT

The Judicial officer is convinced that the player committed an offense contrary to law 9.13 that justified the Citing Commissioner's Report.

The judicial officer is of the opinion that the manner of tackle was highly reckless mainly due to the high speed and force with which it was performed and to the fact that the player propelled her body towards the face of the opponent with feet off the ground, thus adding to the force of impact. At no time during this dangerous tackle did she *"use her eyes and feet to get the right timing of the tackle"* as recommended by the Head Contact Process Guidelines. She allowed herself no time to adjust or drop in a low tackle entry position in order to make the arm contact under the shoulder/head area. This was likely to cause an even more serious injury, even if in the case at hand only light symptoms were accused as at today's date. In line with the said Guidelines, the focus should primarily be on the actions involved whenever a head contact occurs.

There is no mitigation, not only because it was a highly reckless offence for which no mitigation must be applied but also because the player had a clear line of sight, she did not attempt to change height or release the opponent and there was no sudden/significant drop in height or change in direction from ball carrier. There was high danger, as there was direct

contact, high lack of control (demonstrated by the fact that she did not realise during the match what has happened, although her experienced would have allowed her to do so), high speed, upright position with clear view of the ball carrier.

The victim has been replaced at half time with a suspected broken nose. On further investigations and evidence provided by Moldova team management/medical it was found that « *no body injuries were detected after immediate medical examination but she was slightly scared and not seriously harmed* ». « *After the Competition she accused light headache for which analgesics were administered and on arriving she got consultancy with her doctor and is now monitored continuously to avoid any consequences ; no special treatment was prescribed for the moment and it was recommended to her to rest and avoid physical effort for a couple of days more* ».

DECISION

Proven Not proven Other disposal (please state)

SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS		
As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby		
Assessment of Intent		
<input type="checkbox"/> Intentional/deliberate <input checked="" type="checkbox"/> Reckless		
State Reasons		
The JO accepted this was not a deliberate action		
Gravity of player's actions		
The description above describes a highly dangerously grave offence.		
Nature of actions		
Highly reckless and dangerous tackle		
Existence of provocation		
none		
Whether player retaliated		
none		
Self-defence		
N/A		
Effect on victim		
The victim has been replaced at half time with a suspected broken nose; on further investigation it was found that no body injuries were detected apart of a slight headache. Rest and the avoidance of physical effort for a couple of days was recommended.		
Effect on match		
N/A		
Vulnerability of victim		
Moderate		
Level of participation/premeditation		
No intention but highly reckless act of foul play		
Conduct completed/attempted		
completed		
Other features of player's conduct		
Apology and remorse		
Entry point		
<input checked="" type="checkbox"/> Top end 10 Weeks	<input type="checkbox"/> Mid-range [XX] Weeks	<input type="checkbox"/> Low-end [XX] Weeks
*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.		
Reasons for selecting Entry Point above Top End		
This was a very dangerous, highly reckless act of foul play that involved high danger due to direct contact, high lack of control, high speed, upright position with clear view of the ball carrier. Even if the victim was not severely injured, she still was brought to the ground and remained there over a prolonged break to get medical assistance for a suspected broken nose, she was "very scared to me harmed", resumed playing but was replaced at halftime and did not re-join the match. After the competition ended, she reported light headaches, continues to be under medical supervision and is recommended rest and discontinuation of physical activity for couple of days.		

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS	
As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby	
Player's status as an offender of the Laws of the Game	
N/A	
Need for deterrence	
N/A	
Any other off-field aggravating factors	
N/A	

Number of additional weeks: [0]

Summary of reason for number of weeks added:
N/A

RELEVANT OFF-FIELD MITIGATING FACTORS	
As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby	
Acknowledgement of guilt and timing	Player's disciplinary record/good character
After watching the footage carefully for several times, the player started crying, was genuinely affected and sincerely apologized and took responsibility for her actions	Very good, the player and her representatives confirmed that there is no recent red card issued against her and no history of high tackles
Youth and inexperience of player	Conduct prior to and at hearing
Experienced player, captain	Very good
Remorse and timing of remorse	Other off-field mitigation
Truthful, deep remorse, she seems to understand that her actions could have resulted in more serious injury, she claims to have apologized to the victim after the match and seems to be very touched by the victim's body reaction after the tackle, as reflected in the footage and by her state of health. She accepts and understands that she is a model for her team and intends to get involved in any necessary training concerning Head Contact Process.	N/A

Number of weeks/matches deducted: 5 matches in 7s (bearing in mind that 1 week suspension in 15s' equals 1 match suspension in 7s')

Summary of reason for number of weeks deducted:
The Player was sincere, open and truthful in her evidence; after being confronted with the footage, she immediately accepted that her actions were completely lacking control and therefore were highly dangerous; she states that she was and still is (upon being presented with the footage) very shocked and has no plausible explanation for what happened, which indicates that the event was traumatic (as confirmed by body language) also for the player. She has an exemplary record, and as captain of her team she intends to get involved in any

training may be required in relation to head contact processes. The JO is therefore convinced that a 50% discount up to the maximum possible reduction is appropriate.

SANCTION

NOTE: Players ordered off or cited by a citing commissioner are provisionally suspended pending the hearing of their case, such suspension should be taken into consideration when sanctioning – RE Discipline Regulations 4.1.4 / 4.4 (or equivalent Tournament rule)

Total sanction	5 matches in 7s	<input type="checkbox"/> Sending off sufficient
Sanction commences	23.06.2021	
Sanction concludes	Sanction concludes after 5 matches of the Georgian Women's 7s national team in Rugby Europe Women's Sevens Trophy (09,10 July 21, Budapest)	
Matches/tournaments included in sanction	5 matches in Rugby Europe Women's Sevens Trophy leg 2 Budapest (Hungary)	

Costs	NA
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Date	30 June 2021
Signature (JO or Chairman)	Petre Irina

NOTE: You have 48 hours from notification of the decision of the chairman/jo to lodge an appeal with the tournament director – RE Discipline Regulations 4.6.2 (or equivalent Tournament rule)