

ABBREVIATED PROCESS – JUDICIAL OFFICER DETERMINATION



Match	Cardiff Rugby v Scarlets		
Player's Club	Cardiff Rugby	Competition	United Rugby Championship
Date of match	2 nd December 2023	Match venue	Cardiff Arms Park
Rules to apply	United Rugby Championship 2023/24 Disciplinary Rules		


PARTICULARS OF OFFENCE			
Player's surname	Jenkins		
Player's forename	Ellis	Referee's name	Ben Whitehouse
Offence	9.18 - A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.	SELECT:	Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/>

JUDICIAL OFFICER DETERMINATION			
Judicial Officer's name	Andrea Caranci	Date of appointment	04/12/2023
Information reviewed	<ul style="list-style-type: none"> Match footage (2) Referee's report (Ben Whitehouse) Assistant Referees' reports (Gwym Morris and Mike English) TMO's report (Wayne Davies) Dan Davis's statement (victim) Standing directions (Gafyn Cooper, Rugby Operations Manager - Cardiff Rugby, on behalf of Mr. Ellis Jenkins) Player's disciplinary record Ellis Jenkins – fitness statement Player's playing schedule. 		
Application of Disciplinary Rule 7.6.30			
Assessment of intent – DR 7.6.30(a) and (b)			
intentional <input checked="" type="checkbox"/> reckless <input type="checkbox"/>			
State Reasons			
<p>Referee reports on 27mins of the first half of the match: "Scarlets were in possession and I saw the scarlets winger offload a ball to a teammate. On catching the pass I saw There was a small jump by the ball carrier to hurdle a player lying prone on the floor– to avoid, in my opinion standing on or tripping over that player. I then saw Cardiff player, Ellis Jenkins attempt to tackle the Scarlets ball carrier.</p> <p>I saw Jenkins lift and Tilt the player off the ground and he dropped the player whilst the ball carrier was almost upside down, the words I believe I used was "discarded him". I believed there was no regard for the ball carriers safety whilst the ball carrier was in the air and upside down. On viewing the incident I felt the Ball carrier landed on the upper back and head area and in a vulnerable and Very dangerous Position. After viewing all the footage and agreeing the facts with my match official team, I felt the correct sanction was a Red card".</p>			

Nature of actions – DR 7.6.30(c)	
The player lifted the opponent off the ground and dropped him so that his upper body make contact with the ground.	
Existence of provocation – DR 7.6.30(d)	
No	
Whether the Player retaliated – DR 7.6.30(e)	
No	
Self-defence – DR 7.6.30(f)	
<p>Gafyn Cooper, Rugby Operations Manager Cardiff Rugby, on behalf of Mr. Ellis Jenkins wrote: <i>"Ellis' head was on the wrong side, facing across the body of the No 7. Ellis has explained that this meant he naturally had to raise his right arm in order to avoid landing on his own neck and face in the tackle. Ellis believes that this was also a contributing factor in the rotation of the No 7 because it caused him to have to raise his right arm in order to protect his own neck and face when completing the tackle"</i>.</p> <p>J.O. doesn't agree with that. The tackler could have completed the action without bringing the upper body of the victim into contact with the ground.</p>	
Effect on victim – DR 7.6.30(g)	
No effect on the victim. The player continued to play the game and had no consequences even later.	
Effect on match – DR 7.6.30(h)	
No effect on the course of the match.	
Vulnerability of victim – DR 7.6.30(i)	
The victim was vulnerable, he had his right arm carrying the ball.	
Level of participation/premeditation – DR 7.6.30(j)	
No participation or premeditation.	
Conduct completed/attempted – DR 7.6.30(k)	
Conduct completed.	
Other features of the Player's conduct – DR 7.6.30(l)	
No.	
Aggravating factors	There are no aggravating factors.
Mitigating factors	<p>There were no consequences for the victim or the course of the game.</p> <p>The player accepted the red card.</p> <p>He has a clean disciplinary record.</p> <p>Mr. Jenkins apologized to Mr. Davis, straight after the game, and Davis accepted the apology.</p>
Summary of Judicial Officer's sanctioning assessment	<p>Mr. Jenkins is found responsible for the infringement of Article 9.18.</p> <p>The dynamics of the fact, in the light of the available footage, examined frame by frame, can be reconstructed as follows:</p>



	<p>After tackling Scarlet's number 11, Mr. Jenkins promptly got up to tackle Mr. Davis (Scarlet's number 7), who had received the ball.</p> <p>Mr. Jenkins' position was perpendicular to the ball carrier's running line.</p> <p>At the time of the tackle, Mr. Jenkins' head was positioned in front of Mr. Davis's body, who had made a small jump to avoid contact with the player number 11 lying on the ground.</p> <p>The inertia of Mr. Davis's run, combined with a rotation in the horizontal plane of Mr. Jenkins, altered the mutual position of the players and averted the possibility of the first player hitting the head of the second player while falling.</p> <p>Only at this moment, when Mr. Davis's body was ahead of Mr. Jenkins's body - who had embraced both legs of the ball carrier at thigh level - executed an upward rotation of his right shoulder, bringing the lower part of the player's body higher than the upper part.</p> <p>During the fall and before Mr. Davis made contact with the ground, Mr. Jenkins moved his left arm away from the victim's leg, allowing him partial control of the fall.</p> <p>Mr. Davis impacted the ground first with his right arm and then with the upper part of the shoulder.</p> <p>J.O. believes that Mr. Jenkins's movement can be attributed to his intent, although he understands that the action took place at a frantic moment of the action, immediately after the execution of another tackle, without the will to harm the safety of the opponent as, rather, in the likely intention to complete an effective tackle or prevent the opponent from easily passing the ball to a teammate.</p> <p>Furthermore, the J.O. considers various mitigating circumstances in favor of the player, including, in particular, the point of impact of the victim and the absence of harm.</p>
Proposed sanction	<p>A playing suspension of 6 weeks, based on a low-end entry point of 6 weeks; no increase for aggravating factors and a reduction of 3 weeks for mitigating factors.</p> <p>Please note that the player cannot apply to the "World Rugby Coaching Intervention Programme" (Appendix Nine: "Note: Where a Player receives a <u>mid-range or top end Sanction</u>, a Disciplinary Committee/Judicial Officer/Appeal Committee/Appeal Officer May, at its discretion, agree that one week of the Sanction may be replaced by a "Coaching Intervention" that complies with the World Rugby Coaching Intervention Programme").</p>
Matches / dates covered	<p>9th Dec. 2023 (Stade Toulousain – Cardiff)</p> <p>16th Dec. 2023 (Cardiff – Bath)</p> <p>26th Dec. 2023 (Cardiff – Dragons)</p>

Signature (Judicial Officer)		Date	06th December 2023
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