DISCIPLINARY DECISION



	Australia v Samoa		
Competition	Women's Rugby World Cup 2025		
Date of match	23 August 2025	Match venue	Salford Community Stadium, Manchester
Applicable rules	Tournament Disciplinary Manual Regulation 17 World Rugby Handbook		

PARTICULARS OF OFFENCE					
Player's surname	Salale	Player's forename(s) Melina Grace			
Player's Union	Samoa	Date of birth 09/07/2002			
Referee's name	Lauren Jenner				
Foul Play	☑ Admitted☐ Not admitted	Red card warranted		dmitted 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 ⊠ Citing □ Other □ If "Other" selected, please specify:		Other 🗆	
Summary of Sanction	3 weeks reduced to 2, subject to successful completion of CISM.				

HEARING DETAILS				
Hearing date	25 August 2025	Hearing venue	Twickenham Stadium	
Chairman/JO	Philippe Cavalieros (France)			
Other Members of Disciplinary Committee	Leon Lloyd (England) - former player Donal Courtney (Ireland) - former referee			
Appearance Player	Yes ⊠ No □	Appearance Union	Yes ⊠ No □	
Player's Representative(s)	Aaron Lloyd, Counsel for Player (joining remotely) Ramsey Tomokino (High Performance Manager and Head	Disciplinary Officer and/or other attendees	Brian Hammond (Legal Counsel, World Rugby)	

	Coach, Samoa Women's Rugby Team)	Joyce Hayes (Disciplinary & Eligibility co-ordinator, World Rugby) Fiona Brady (Observer)
List of documents/materials provided to Player in advance of hearing	 FPRO's Report dated 23 Aug Multiple clips showing the i Injury Report by Australia's Statement") Foul Play Review Committee 2025 ("FPRC Decision") Player's representative subsexhibits dated 24 August 20 	ncident ("Clips") Dr. Stephen Freeman dated 23 August 2025 ("Medical e ("FPRC")'s decision and proposal dated 24 August mission email dated 24 August 2025 missions for the Disciplinary Committee brief and

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE

The FPRO Report provides:

"In the 73rd minute of the match I was asked to review a high tackle by Samoa No22 which met yellow card threshold.

On review I could see that the offending player came in to the tackle from distance and at a high rate of speed. The offending player made direct head to head contact with the ball carrier with a high degree of force resulting in a high degree of danger.

From the footage I reviewed, I could see no mitigating factors in relation to the offending players actions that would warrant the offence remaining a yellow card.

Following the HCP Process I concluded that the action warranted an upgrade to a 20 minute red card due to the high level of danger with no mitigation."

The Referee's Report provides:

"22 blue made a dangerous tackle on the ball carrier - making head contact. This is foul play as she is in an upright position and could be lower. This met yellow card threshold so went sent to the bunker for an off-field review. This was then upgraded from a yellow card to a 20minute red card due to a high degree of danger and no mitigation."

The various Clips of the incident show that in the 72nd minute of the Match, the incident occurred, involving a head on head collision between the Player and Australian player Desiree Miller. The Referee considered that the incident met the Yellow Card threshold and referred it to the Foul Play Review Officer (FPRO). Further to the review of the FPRO, the Referee informed the team captains of the following:

"We have the decision from the Bunker. The yellow card will be upgraded to a 20 minute red card because there is a high degree of danger and no mitigation."

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

The Medical Statement provides:

"Late in the test match this afternoon (with less than 10 minutes remaining), Australian #11 was running the ball when tackled by Samoa #22. Australia #11 was brought to ground, a ruck ensued and Australia retained possession.

Subsequent to the referee stopping play, Australia #11 was called off by the MDD for a Head Injury Assessment. The contact had resulted in abrasions to her chin and left mandible, a lacerated lower lip (inside the mouth) and a loosened lower tooth (lower left 1). The lip laceration initially bled profusely, with the bleeding controlled by Australia's physiotherapist prior to Australia 11.

With the remaining game time significantly less than the mandated time for an HIA1, and no likelihood of extra time, Australia #11 had an HIA2 assessment — with no concussion identified at this initial head injury evaluation".

SUMMARY OF PLAYER'S EVIDENCE

The Disciplinary Committee has considered all the Player's and World Rugby's submissions in reaching its decision, although it has not deemed it necessary to reproduce them in full herein.

In summary, the Player accepts foul play occurred but challenges the Red Card for two reasons.

Firstly, and by way of a preliminary issue ("**Preliminary Issue**"), the Player submits that as a matter of law, the conduct of a rugby match is in accordance with the "Laws of the Game" and where a departure from the Laws of the Game is to occur, then that must be expressly authorised.

The Player submits that Law 6.5 sets out the authority of Match Officials.

Law 6 sets out the default position that "Match Officials" are a referee and two touch judges or assistant referees. It then provides for the introduction of the TMO in a law trial (Laws 6.15, 6.16 and the TMO Protocol). The Player submits that the Laws of the Game are therefore a code, which are varied or departed from only under express authorisation. This is further supported by language in other documents (such as the Disciplinary Manual which says the Laws of the Game prevail where there are conflicts).

The referee is therefore the sole judge of fact and law during a game (unless otherwise expressly permitted) as also recognised in the context of the Rugby World Cup 2025, in the Participation Agreement.

The Participation Agreement recognises the FPRO is appointed "to clarify situations", consistent with the powers of the TMO in Law 6.15 but do not therefore empower the FPRO to make decisions of fact

or law. And if they did, that could be of no effect because it would be directly contrary to Law 6.5(a) (which reserves that to the Referee).

The "Disciplinary Manual", referred to in the Participation Agreement, is World Rugby's generic Disciplinary Manual 2025, and it describes the role of the FPRO:

15s only: Foul Play Review Officer "Bunker" Review

- During the Match, the Match Referee may issue a yellow card and refer an act of foul play
 to the Foul Player Review Officer (often referred to as the Bunker) to decide whether the
 incident warrants being upgraded to a red card.
- The Foul Player Review Officer reviews all foul play incidents referred to them live and has access, via the video replay system, to various camera angles at the stadia.
- If the Foul Player Review Officer reviews an act of foul play and they consider that it should result in a red card, the Foul Player Review Officer communicates that decision to the on-field Match Referee who then issues a red card to the Player.
- The Red Card hearing process set out above then applies.

However, this reference alone cannot create the power for the FPRO to become the decision maker for in-game Red Cards, as this would be inconsistent with Law 6.5(a) which requires the Referee to be the sole judge of fact and law in-game. If there is any doubt that matters in breach of the Laws of the Game must be of no effect, then the Disciplinary Manual confirms where there is any conflict between the Disciplinary Manual and the Laws of the Game, the Laws of the Game prevail.

The Player adds that the principle that the Referee is the sole judge of fact and law (and therefore must make decisions to give a player a Red Card), was confirmed on 23 July 2025 by World Rugby's Independent Judiciary in the case of Pedro Rubiolo arising out of the Argentina vs Uruguay fixture of 19 July 2025 ("Rubiolo Decision or Rubiolo").

In *Rubiolo*, World Rugby argued that the Referee remained the Match Official who actually made the decision to issue a Red Card, notwithstanding the role (in that case) of the TMO. The Player considers this was a clear acceptance by World Rugby that Law 6.5(a) is paramount, and the Referee must make decisions to issue Red Cards (albeit with assistance or clarification of matters by the TMO – potentially the FPRO in this case). In *Rubiolo* the Judiciary considered what was said between the Referee and TMO, and concluded that the TMO, and not the Referee, undertook the assessment and made the decision that the player would receive a Red Card. Accordingly, Rubiolo's Red Card was overturned as being *ultra vires* Law 6.5(a).

The Player submits the present case almost exactly replicates the facts of *Rubiolo* in this regard. As with *Rubiolo*, the Referee identifies that the Player met the Yellow Card threshold, and then sent the matter for "off-field review". The result of that off-field review was that the FPRO (and not the Referee) formed the view the offending warranted a Red Card, and the FPRO (and not the Referee) made the decision that the Player would get a Red Card, as recorded in the FPRO Report.

As with *Rubiolo* it is clear the Referee does not make the decision – it is a decision "from the Bunker". There can be no real suggestion she did, given the language in the Report, and the language used to communicate the decision to the Captains. Further, she does not review the video again following her decision that it met the Yellow Card threshold (nor discuss the matter in any detail with the FPRO or TMO). She simply relies upon the decision of the FPRO. She does not make the decision, which is one of fact and law, arising in the course of the match.

The decision is therefore made ultra vires Law 6.5(a), just as it was in Rubiolo.

On the substantive submissions regarding the Red Card threshold, in summary, the Player admits having committed foul play worthy of a red card to be however mitigated to a yellow card as per World Rugby's Head Contact Process ("HCP"), as further elaborated below.

FINDINGS OF FACT

The Player indicated that she advised World Rugby of her intention to challenge the Red Card and requested that the FPRC refer the matter to a full hearing (as the FPRC cannot overturn a Red Card under World Rugby's global law trial for off-field sanctioning). The Disciplinary Committee understands that the FPRC declined to refer the matter directly to a hearing and instead upheld the Red Card, classifying the offence as mid-range and offering a sanction of three matches, reduced to two if the Player successfully completed the Coaching Intervention for Sanction Mitigation ("CISM").

The Player declined this offer, and the matter proceeded to a hearing before this Disciplinary Committee.

At the outset of the hearing, the Chair of the Disciplinary Committee proposed bifurcating the proceedings to first rule on the Preliminary Issue before addressing the incident itself (to the extent necessary). This proposal was accepted by all stakeholders.

1. Assessment of the Preliminary Issue

The Disciplinary Committee will first consider the weight, if any, to be given to the Rubiolo Decision.

In summary, Mr. Hammond submitted that judicial decisions have no binding authority and the current Disciplinary Committee must make a decision based on the facts as they are presented. In World Rugby's opinion, the decision in *Rubiolo*, though factually similar, appears to represent a departure from both the practical realities of the sport and World Rugby's Council decision (as further described below). Accordingly, it should not guide the Committee's analysis in the present matter.

The Player for her part submitted that the Judicial Committee in *Rubiolo* was chaired by experienced Judicial Officer Jennifer Donovan (Ireland), supported by equally experienced Judicial Committee members Becky Essex (England) and Bogdan Zebega (Romania). Upon questioning from the Disciplinary Committee during the hearing, the Player's counsel, Mr. Lloyd, further explained that his understanding is that matters of principle that are decided by judicial committees are not binding *per se* but are persuasive.

The Player argued that the *Rubiolo* decision, being a ruling on a preliminary issue, is inherently a decision of principle.

The Disciplinary Committee agrees that the *Rubiolo* decision was rendered by an experienced panel and warrants due consideration. While precedents are not binding, they carry persuasive authority,

especially when addressing issues of principle. However, the Committee is also mindful of the need to assess each case on its own facts and merits. Respectfully, an independent disciplinary committee is at liberty to depart from a previous decision if it takes a different view.

The Player further argued in the hearing that World Rugby had the opportunity to appeal the *Rubiolo* decision but chose not to, making it difficult for this Committee to depart from that decision. In response, Mr. Hammond confirmed that *Rubiolo* was not appealed but submitted that the absence of an appeal does not carry additional weight.

The Disciplinary Committee agrees with World Rugby's position that there may be various reasons—whether procedural or policy-related—why an appeal is not pursued. The lack of an appeal does not necessarily endorse the outcome of a disciplinary committee. While this Committee would have benefited from an appellate decision on *Rubiolo*, it cannot speculate on World Rugby's reasons for not appealing or draw conclusions therefrom.

Consequently, while the *Rubiolo* decision has been given due consideration, the Disciplinary Committee will not assign additional weight to it simply because it was not appealed.

As far as the facts are concerned, the Disciplinary Committee shares the Player's analysis that the present case almost exactly replicates the facts of *Rubiolo*. Indeed, as with *Rubiolo*, the Referee identified that the incident met the Yellow Card threshold, and then sent the matter for "off-field review" (albeit here not to the TMO but to the FPRO). The result of that off-field review was that the FPRO (and not the Referee as the Player contends) formed the view that the offending warranted a Red Card, and the FPRO advised the Referee (or possibly even decided) that the Player would get a Red Card.

However, there are also subtle differences between the two cases. In *Rubiolo*, the TMO performed the roles of both TMO and FPRO. The Player in *Rubiolo* argued that it was inappropriate for a TMO, whose role is defined under the TMO Protocol, to upgrade incidents to Red Cards.

While it was decided, correctly in this Disciplinary Committee's view, that having "carefully considered the matter the Committee found that the infrastructure in place in respect of referral of yellow cards for review do allow a TMO to carry out that review in circumstances where an FPRO is not appointed", and that the same considerations are applicable to both, the Disciplinary Committee nonetheless notes that in the present matter, both a TMO and FPRO were appointed.

In the player's submissions in the *Rubiolo* case (as reproduced in the decision) the player's counsel (our learned colleague Mr. Lloyd who also represents the Player in the present proceedings) seems to have pleaded that "the TMO in this case did not have the power to upgrade the Yellow Card issued by the Referee to a Red Card. World Rugby has approved a global law trial of the 20-Minute Red Card, but that trial does not expressly permit a TMO to issue or cause to have issued upgraded Red Cards".

When doing so, the player also indicated that "World Rugby training indicates that a Foul Play Review Officer (FPRO) is permitted to do so, but no FPRO was appointed for the Match. It is submitted that it is not appropriate for a TMO, who already has a role, which is clearly defined under the TMO Protocol Document issued by World Rugby, to go further than that document and upgrade incidents to Red Cards". (emphasis added)

Whilst no reference in the present proceedings was made by the Player to such World Rugby training, the Disciplinary Committee, during the hearing, pointed the participants to World Rugby's website and more specifically to a section in World Rugby Passport under Match Day Staff called Foul Play Review Process (World Rugby Passport - Foul Play Review Process).

Both the Player and World Rugby were afforded an opportunity to comment orally on the same, and they confirmed during the hearing that no due process issue arose, in relation to the introduction of such material on the record.

This process essentially describes that "The FPRO is an extra match official who works in conjunction with the TMO to evaluate foul play outside of formal TMO review. The Foul Play Review process allows them to be decided off-field during live match time. An additional match official <u>makes the final decision</u> during a Yellow Card period as to whether the action warrants a Red Card sanction. Referees remain the lead decision-maker but have ability to refer any foul play incident to the FPRO for Formal Review. A dedicated FPRO will have eight minutes to review the incident to determine the outcome. The FPRO then communicates <u>the decision</u> to the Referee to upgrade or not." (emphasis added).

Other than such differences, the language used by the match officials including the TMO and FPRO is strikingly similar in both matters. In these proceedings, both the Player and World Rugby have elaborated at length on the semantics used by the referees. In the present matter, whilst the Referee indeed indicates "we have a decision from the bunker", she also says that the "Red Card will be upgraded" and she is the one showing the red card, as it should be.

The Disciplinary Committee shall not give undue weight to such exchanges, taken in the context of a match, although improvements or changes can always be made. After all, as submitted by World Rugby, referees are (with exceptions) not legal practitioners. The Disciplinary Committee also concurs with the Player that this issue isn't about just language, but rather about who makes the decision or is empowered to make such decision.

More fundamentally, in this Disciplinary Committee's view, both the Player and the *Rubiolo* decision were correct in determining that from a strictly legal standpoint, there are no references to the FPRO process in the Laws of the Game and that as currently drafted, Law 6.5(a) clearly provides that the referee is the sole judge of fact and law. The Disciplinary Committee further acknowledges that such laws are a paramount, as was discussed at length during the hearing.

It is also correct that players must know (or should know) what are the Laws of the Game (which do not mention the FPRO) by virtue of signing the Participation Agreement.

Accordingly, following a strict interpretation of the law, when FPROs takes a view, it is correct that they should "advise" the referee of the same, who in turn should retain the liberty to overrule such recommendation.

Mr. Hammond submitted in this respect that a referee always retains the authority to accept or to reject the FPRO's input. If a referee disagrees, they can therefore theoretically decline to enforce the Red Card upgrade recommendation.

While this may be true in theory, the Disciplinary Committee does not find this argument persuasive. In practice, referees consistently accept FPRO recommendations or decisions. Mr. Hammond

suggested that this reflects confidence in the process rather than an abdication of responsibility. However, no evidence was presented of a single instance where a referee has overturned an FPRO recommendation.

The Disciplinary Committee rather takes the view that the FPRO process is an admitted aid to the Referee, which enjoys the benefit of 8 minutes to independently review additional footage than that available to the Referee. As separately submitted by Mr. Hammond, the Referee's authority is not as such displaced, it is exercised through this process. While the Laws of the Game do not explicitly reflect this process, there are clear indications that it is in place and has been implemented with some success.

The FPRO process has been in use at the international level since 2023. In addition to the training materials referenced earlier, World Rugby has also presented a paper to its Council outlining the process, and which presumably approved the same, although this has not yet been codified into law:

FUTURE PROOFING – ON FIELD SANCTION

INFRASTRUCTURE IN PLACE	YC	REFERRAL/ 20 MIN RC	RC
Referee, 2 ARs, TMO & FPRO	Direct from Referee	Via referral which FPRO advises Referee on.	Direct from Referee
Referee, 2 ARs & TMO only	Direct from Referee	Via referral which TMO advises Referee on.	Direct from Referee
Referee & ARs	Direct from Referee	Direct from Referee	Direct from Referee

In the Disciplinary Committee's view, players are undoubtedly aware of the implementation and operation of the FPRO process.

This awareness arises from the documents referenced above, the Disciplinary Manual (which, as the Player herself acknowledges, "could arguably be read to say they can make decisions on Red Cards themselves"), and, most importantly, established practice.

This understanding is also shared by all stakeholders, including the media and the wider public.

As such, the Disciplinary Committee considers that, in the interest of the sport itself, this widespread knowledge and established practice have, in effect, acquired the force of law.

For all the above reasons, the Disciplinary Committee decides not to uphold the Preliminary Issue.

2. Decision on the merits of the incident

As indicated above, the Player accepts foul play but considers there are mitigating factors which should have led the referee to reduce the red card to a yellow card as per the HCP.

Preliminarily, the Disciplinary Committee recalls that pursuant to Rule 17.15.3, in the event a player does not accept that the act(s) of Foul Play which is the subject of the disciplinary hearing warranted the player being ordered off, the burden of proof rests on the player to show that the referee was wrong.

The Player essentially submits that the match officials were wrong to say that there were no mitigation. The Player indeed considers that not only did she clearly attempt to reduce height, but there was also a significant and sudden drop by Miller, the Australian victim player ("Australia 11").

The Disciplinary Committee has carefully considered the Player's submission, available Clips and World Rugby's submission, and agrees with all concerned that this was reckless act of foul play.

However, on mitigation, the Disciplinary Committee takes a different view than that of the Player. As shown on the below extract submitted by the Player, this Disciplinary Committee finds that the Player did not clearly attempt to reduce height shortly before impact:



Although she makes a further effort immediately before impact, the Disciplinary Committee does not find this sufficient enough to qualify as a clear attempt to reduce height:



Upon questioning by the Disciplinary Committee during the hearing, the Player herself did agree that she could have been lower and also slowed down her approach.

With respect to the alleged significant drop of movement of the Australia victim player, the Disciplinary Committee also considers that the Player has not proven that the match officials were wrong.

As shown in the above picture and below, although there was a change in height and direction from Australia 11, such movement cannot as such be characterised as so sudden and significant to qualify as a mitigating factor when taken in the context of the entire situation.



Accordingly, the Disciplinary Committee concluded that the Player had not shown on the balance of probabilities that the Referee was wrong to issue her with a Red Card. The Red Card was therefore not overturned but upheld by the Committee.

DECISION

Foul play	Admitted 🗵	Determined \square	Not determined □	
	Other disposal	(please state) \square		
Red card warranted	Admitted \square	Determined ⊠	Not determined □	
	Other disposal (please state)			

SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 17.18.1(a)-(b) (or equivalent Tournament rule)		
Intentional □ Reckless ⊠		
State Reasons		

The Player knew, or ought to have known, that there was a risk of committing an act of Foul Play.
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
Head on head collision.
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
n/a
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
n/a
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
n/a
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
See Medical Report.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
n/a
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
n/a
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
n/a
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
Completed.
Other features of player's conduct – R 17.18.1(I) (or equivalent Tournament rule)
n/a

ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point (select entry point and indicate n° of weeks/matches starting point)				
Top end* □	Mid-range ⊠	Low-end		
N° of Weeks/Matches	N° of Weeks/Matches 6	N° Weeks/Matches		

^{*}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 World Rugby Regulations 17.18.1(a), 17.18.1(g), and
17.18.1(h) or the equivalent provisions within the Tournament Rules referred to above.

Reasons for selecting Entry Point above Top End		
n/a		

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of commission of foul play – R 17.19.1(a) (or equivalent Tournament rule)	Player's disciplinary record – R 17.19.1(b) (or equivalent Tournament rule)
The Player acknowledged having committed an act of foul play at the earliest opportunity.	Clean disciplinary record.
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)
The Player is 23 years of age.	Exemplary.
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)
The Player apologised to Australia 11 immediately after the game.	n/a

Number of weeks/matches deducted

3

Summary of reason for number of weeks/matches deducted:

Full mitigation applies given the Player's remorse, acknowledgment of foul play and clean disciplinary record. The Disciplinary Committee has noted that both World Rugby and the Player submitted that full mitigation ought to apply under the circumstances, following the FPRC decision.

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status as an offender of the Laws of the Game – R 17.20.1(a) (or equivalent Tournament rule)		
n/a		
Need for deterrence – R 17.20.1(b) (or equivalent Tournament rule)		

n/a					
Any other off-field aggravating factors – R 17.20.1(c) (or equivalent Tournament rule)					
n/a					
Number of additional weeks/matches	0				

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 – R 17.12.5(f) / 17.13.7 (or equivalent Tournament rule)

Total sanction	3 weeks reduced to 2 weeks subject to successful completion of CISM.	Sending off sufficient □		
Sanction commences	24 August 2025			
Sanction concludes	14 September 2025 (inclusive) or 6 September (inclusive) subject to successful completion of CISM.			
Matches/tournaments included in sanction	Match 1 - England v Samoa on 30 August 2025 Match 2 - USA v Samoa on 6 September 2025 Match 3 - RWC QF (13/14 September) or Farah Palmer Cup Waikato v Manawatu (unless successful completion of CISM).			
Costs	n/a			

Signature (JO or Chairman)		Date	27 August 2025
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