DISCIPLINARY DECISION

	Scotland v Fiji		
Competition	Rugby World Cup 2025		
Date of match	30/08/2025	Match venue	Salford Community Stadium, England
Applicable rules	Tournament Disciplinary Manual Regulation 17 World Rugby Handbook		

PARTICULARS OF OFFENCE			
Player's surname	Tawake	Player's forename(s)	Bitila
Player's Union	Fiji Rugby Union	Date of birth	02/04/1999
Referee's name	Lauren Jenner		
Foul Play	☐ Admitted ☒ Not admitted	Red card warranted	☐ Admitted ☒ 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.	SELECT: Red card ☒ Citing ☐ Other ☐ If "Other" selected, please specify:	
Summary of Sanction	4 weeks subject to a possible 1-week reduction on successful completion of the Coaching Intervention Programme.		

HEARING DETAILS			
Hearing date	01/09/2025	Hearing venue	Twickenham, London
Chairman/JO	Jennifer Donovan (Ireland)		
Other Members of Disciplinary Committee	Donal Courtney (Ireland), Former International Referee Martyn Wood (England), Former International Player		
Appearance Player	Yes ☒ No ☐	Appearance Union	Yes ☒ No ☐
Player's Representative(s)	Ioan Cunningham, Coach. Alana Thomas, Women's High Performance General Manager. Ana Tuiketei, Legal Representative (Remotely)	Disciplinary Officer and/or other attendees	Brian Hammond, World Rugby Disciplinary Officer. Joyce Hayes, World Rugby Disciplinary Co-ordinator. Fiona Brady (Observing)

List of documents/materials provided to Player in advance of hearing	• Red Card Report of Referee Lauren Jenner. • Report of Foul Play Review Officer, Ian Tempest. • Match Footage. • Decision of Foul Play Review Committee. • Text Message from Scotland Team Manager, Ellen Dickson confirming no injury. • Submissions of Mr. Hammond, World Rugby. Received from Player • Player Submission Form (submitted by player to Foul Play Review Committee) • Written submissions to Disciplinary Committee.

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

The Red Card report described a tackle made by the player in the 57th minute of the match. The report stated that the player made direct head contact and was driving up in the tackle. This was deemed to be foul play that met the yellow card threshold and was refereed for off field review.

The Report of the FPRO included the following assessment:

"After reviewing the tackle I deemed that the contact by Fiji 2 was direct and she was active as she was hitting forward in the tackle. The was no mitigation to be applied."

Footage of the tackle was available from several angles and in full speed, half speed and quarter speed.

Following a ruck, the ball was passed out to Scotland No.2 ("S2") who carried that ball forward. The player made a tackle on S2 using her right shoulder. The player was initially bent at the knees and hips but then appeared to move upwards in the tackle making contact with the neck of S2. Both players went to ground and S2 put her hand to her neck.

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

The Scotland team manager confirmed, on enquiry, that S2 had not suffered any injury.

SUMMARY OF PLAYER'S EVIDENCE

Clarification was sought at the outset as to whether or not the player accepted that she had committed an act of foul play. The written submissions to the FPRC indicated that the player did accept foul play but did not accept that the foul play warranted a red card. The position was unclear from the Submissions made to the Disciplinary Committee. The answer provided to the relevant question in the Standing Directions was "N/a as TMO Report and Referee Report are worded differently". It was confirmed at the hearing however, that the player did not accept that she had committed an act of foul play contrary to Law 9.13.

In the player's written submission to the FPRC, it was stated that the player was looking down as the contact occurred. It was submitted that the tackle was around the shoulder/chest area and that whilst the player was driving forwards, S2 dropped her height slightly and slipped backwards and down. It was suggested that this resulted in the neck of S2 dropping on top of the player's shoulder.

It was stated in the submissions that the player did not intend to tackle dangerously, only to tackle the ball carrier and to drive forwards and it was argued that S2's own actions, in falling backwards and losing her balance resulted in her face dropping on to the shoulder of the player.

The player, at the hearing, explained that she was coming at speed and that her opponent was coming at speed. Play was approaching the try line and it was necessary to try to stop the progress of S2. The player felt that she made contact with S2 at chest height and that she "won the hit". The player submitted that contact was subsequently made with the chin of S2 because the player had overpowered S2 in the contact. S2 had fallen backwards because of the dominant tackle and that this, along with the presence of another player in the tackle area had an impact of the direction of the force.

The player and her representatives argued that the player had carried out a legitimate tackle, below the line of the shoulders and they referred to the player's lowered position going into the tackle. Reference was made to the match footage to support this contention. It was suggested that any raising in height in the contact area was as a result of the force of both player's coming together and not as a result of any upward driving motion by the player. The player did not accept that the initial point of contact was the head or neck and did not accept that any subsequent contact with the head or neck constituted foul play. It was argued that the initial point of contact could not be determined from the available match footage. The player said that she did not intend to carry out an act of foul play and did not accept that her actions were reckless. In essence, the player's position was that the tackle was a legal tackle which made contact below the line of the shoulders and that the subsequent raising in height and head contact were beyond the control of the player.

Mr. Hammond, for World Rugby, did not express a view either way in relation to the commission of an act of foul play but rather indicated that it was a matter for the Committee.

The player's representatives were asked to make submissions in relation to level of danger and mitigation, should the committee find that an act of foul play had occurred. It was suggested on behalf of the player that the level of danger was low on the basis that the head contact was indirect; that there was no intent or recklessness on behalf of the player and that the player had attempted to make a legal tackle.

In relation to mitigation, it was suggested that there had been change of height of the ball carrier and although this was not significant it had contributed to the subsequent head contact. It was also argued, and set out in written submissions, that the presence of the Scotland 21 was of relevance. It was submitted that S2 slightly dropped her height and slipped backwards and down *"as a result impact of her teammate pushing onto her lower back, impacting the direction of the force resulting in the Scottish player's neck dropping on top of Fiji No. 2's shoulder".*

It was also argued that the player had no time to adjust as she had her head down whilst driving forward.

Mr. Hammond referred to the guidance provided by the Head Contact Process in relation to degree of danger and mitigation but did not express a view in relation to either.

Following the decision to uphold the red card, the player was invited to make submissions in relation to the assessment of the seriousness of the offence, the entry point for sanction and any mitigation.

On the player's behalf, a finding of "Sending Off Sufficient" or a low-end entry point was sought. The Chair advised that the mandatory minimum entry point of mid-range applied and so the Committee could not consider low end or S.O.S. A mid-range entry point was then suggested.

In terms of mitigation, it was pointed out that the player had a clean disciplinary record, that she had enquired after the welfare of S2 and had apologised to her after the match. It was said that the player was well regarded and a leader within her team.

When asked about the player's playing schedule and any applicable rest period following the World Cup, it was confirmed by Ms. Thomas that the player would be subject a mandatory rest period after the tournament and, as a result, would not be available for selection until the 4th October, 2025.

FINDINGS OF FACT

It was outlined to the player at the outset of the hearing that the Regulations provide that a Disciplinary Committee shall not make a finding contrary to that of a match official unless the Committee were satisfied, on the balance of probabilities that the decision (in this case to award a red card) had been wrong. It was explained to the player that the burden of proof in that regard lay with her. This is set out in Regulation 17.16.1 (b).

It was also explained to the player that the decision under consideration by the Disciplinary Committee was the decision to award the red card and not the FPRC's indication of sanction. This had also been set out pre-hearing in the submissions of Mr. Hammond.

The Committee reviewed the decision of the FPRO and subsequent awarding of the red card by the referee in light of the head contact process and carefully considered the player's submissions and all of the evidence before the Committee.

It was found that the player did make contact with the neck of S2. The HCP is clear that head contact includes contact with the neck and throat area.

It was found that the referee and FPRO were correct in their assessment that foul play had occurred. Although the initial point of contact may have been below the line of the shoulders, it was clear that contact ended above the line of the shoulders as a result of the actions of the player. The player chose to tackle in the manner in which she did in order to attempt to effect a dominant tackle. In doing so she ran the risk of contact moving upwards. She was reckless in this regard. The player also went into the contact looking downwards and so was reckless as to the point of contact. The player was reminded of the context of the HCP which states *"The 'power of choice' for tacklers is crucial, especially as 72% of head injuries occur in the tackle. There needs to be an understanding that tacklers stay up to allow them to 'adjust and react' – dropping quickly into the low tackle entry position – using their 'eyes and feet' to get their timing right".*

Having made findings of head contact and foul play, the Committee then considered the level of danger. The tackle had, by the player's own admission, happened at speed. The Committee was satisfied that the force to the neck of S2 was significant despite the fact that it was not possible to determine that the neck was the initial point of contact. The tackle was clearly dynamic and the player was reckless in relation to the outcome of the tackle, as outlined above. The Committee therefore found the level of danger to be high.

Mitigation was then considered. It was found that there was not a sudden or significant drop in height or change of direction of the ball carrier. The player's own submissions had described any change in height as slight. It was found that the presence of Scotland 21 did not cause a late change in dynamics in the contact. It was clear from the footage that the contact had occurred by the time Scotland 21 became involved in the tackle. It was not found that the player had insufficient time to adjust. There was no significant or sudden change of height or direction of the ball carried that required the player to adjust. The player did wrap in the tackle but this did nothing to mitigate against the level of danger involved. The 'wrap' with the player's right arm clearly ended up above the line of the shoulders.

The tackle was not a passive one. A passive tackle is, according to the HCP, a tackle that involves zero forward movement on to the ball. A dynamic tackle involves forwards or upwards movement with force through the hips/legs/shoulders. The committee found that the tackle was dynamic. The tackle was described by the player herself as dominant.

Having reviewed the sending off decision in light of the HCP, the Committee was satisfied that the player had failed to demonstrate that the decision was incorrect and accordingly the red card was upheld.

DECISION

Foul play	Admitted ☐ Determined ☒ Not determined ☐ Other disposal (please state) ☐
Red card warranted	Admitted ☐ 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	
It was accepted that the offending was not intentional but it was found to be reckless for the reasons hereinbefore outlined.	
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)	
Dangerous tackle resulting in contact between the shoulder of the player and the neck of S2.	
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)	
S2 appears to be in some discomfort immediately following the contact but was able to continue to play and it was subsequently confirmed that no injury was sustained.	
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)	
Nil save detrimental effect on player's own team.	
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)	
S2 was on her feet and not in a particularly vulnerable position.	
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)	
Full participation, no pre-meditation.	
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)	
Conduct completed.	
Other features of player's conduct – R 17.18.1(l) (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 X	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 did not accept that she had carried out an act of foul play. The player's position was that she had effected a legal tackle.	The player has a 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 commenced playing rugby in 2022. She has 24 international caps and is vice-captain of the national team.	The player and her representatives were co-operative and courteous throughout.
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 S2 immediately after the match.	N/a

Number of weeks/matches deducted | 2 |

Summary of reason for number of weeks/matches deducted:
The player fulfilled many of the criteria in relation to the determination of mitigation, but 50% mitigation was not warranted in circumstances where the player did not acknowledge that she had carried out an act of foul play.

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	4 weeks subject to a possible 1-week reduction on successful completion of the Coaching Intervention Programme.	Sending off sufficient ☐
Sanction commences	30/08/2025	
Sanction concludes	To be confirmed, depending on the progress of the player's club side in the Marama Cup.	
Matches/tournaments included in sanction	06/09/2025 - Wales v Fiji (Rugby World Cup 2025) 04/10/2025 - Nadroga v Nadi (Round 8 of the Marama Cup) 11/10/2024 - Suva v Nadi (Round 9 of the Marama Cup) The fourth match to which the sanction applies shall be clarified upon receipt of information as to the progress (or otherwise) of the player's club to the quarter final stage of the Marama Cup (unless successful completion of CISM).	
Costs	Nil	

Signature (JO or Chairman)	Jennifer Donovan	Date	02/09/2025

NOTE: The player was advised that pursuant to the Off Field Sanctioning Process, she does not have the right to appeal this decision. The Off Field Sanctioning Process states:

5.1 A Disciplinary Committee is the Committee that sits to consider matters:

a. referred to it by the FPRC pursuant to Section 4.10 or 4.17, in which case it is sitting as a first instance hearing body with an appeal process as set out in Section 6 below;

or,

b. where a Player, Tournament Organiser, or World Rugby has appealed a decision of the FPRC pursuant to Section 4.14 or 4.16, in which case it is sitting as an appeal body, that decision is final and binding on the parties.