



DECISION FORM

PARTICULARS OF OFFENCE		
Player's Name	Billy Cosma	
Player's Union/club	Cyprus Rugby Federation (CRF)	
Match	Cyprus v Israel	
Competition	Conference South 1	
Date of match	12/11/2022	
Match Venue	Pafiakos Stadium in Paphos, Cyprus	
Rules to apply	Regulation 17 World Rugby Handbook; or Rugby Europe Disciplinary Regulations	
Referee Name	Francisco Serra	Plea Charge
Offence	Law 9.12- Physical abuse	<input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:

HEARING DETAILS		
Hearing date	17/11/2022	Hearing venue: On remote
Chairperson/JO	Achille Reali (Chairperson)	
Other Members of the Disciplinary Panel	Frederick Gilligan (wing) Chris Morgan (wing)	
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)	David Lee Team Manager	Other attendees David Baird-Smith (Rugby Europe)
List of documents / materials provided to Player in advance of hearing	1. Referee's report 2. Game sheet 3. Video Clip 1 and 2 4. Notice of Hearing 5. Discussion with Referee	

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p>The Referee's report stated that:</p> <p>Israel were in possession at a ruck less than 5 meters from the Cyprus try line. An Israel player was on the ground at the side of the ruck. The Cyprus number 4 deliberately trod on the head of the Israel player. This contact was delivered with limited force but in my view still warranted a red card.</p> <p>The Video Clip does not show clearly the incident.</p> <p>Due to the unclarity of the Video Clip the Referee gave a supplement of the report (Discussion with Referee) with exact second of the 2nd video clip the incident occurred, in which he stated: The offense itself occurs at the minute 90:41 – TV clock time (. . .) Cyprus n.4 stamped on a Israel player that was on the ground. Live I choose to play advantage and</p>

let play continue, as it was a final play situation in their attacking 5m. On review I should have stopped the game right away at the moment of the offence (. . .) On review the angles does not show clearly the point of contact.

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

None

SUMMARY OF PLAYER'S EVIDENCE

The player confirmed that he was the player red carded, but he did not accept Referee's report and he did not commit an act of foul play.

He stated that he was very close to the ruck, but he does not know when, how or who there was contact with. He was defending his try line absolutely concentrated in the game and his focus was only on the ball. There were Israeli players on the ground at the ruck, he was not standing still and moving his legs ready to intervene, but also the opponent players were not still on the ground. He cannot exclude having just grazed an opponent player's head, but if there was contact, it was accidental and very light. Nothing about this contact was said during or after the game and there was no reaction from any player of the Israeli team.

The Player is 31 years old, has been playing rugby union since he was 15 and in national team from several years. He received a red card in underage rugby when he was 18 years old.

FINDINGS OF FACT

No preliminary points arose.

The Player accepted that he was the Player involved in the alleged foul play, but he did not accept he committed an act of foul play that warranted a red card.

The standard of proof for all matters under this Regulation 17 shall be on the balance of probabilities.

At first instance disciplinary hearings, in the event that the 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 or cited, the burden of proof rests on the Player to show that the referee/citing commissioner was wrong.

The video clips do not show the facts as described by the Referee's Report and the Discussion with Referee, except that the player was very close at the ruck. He was not still and concentrated on the game. There was no reaction from any Israeli player during and after the ruck. When the ruck ended and the game continued, no Israeli players remained on the ground, or was in pain or complained.

When the referee stopped the game an Israeli player asked the referee for an explanation of the reason and showed a surprised face at the explanations received.

The video images did not confirm that there was a deliberated stamping on the head if an Israeli player.

Rugby Israel did not report any player who was victim in the red card action.

The Disciplinary Panel found, on the balance of probabilities, that the contact between the Cypriot player and the opponent player was accidental, very light and no dangerous, without consequences for any Israeli player, and for these reasons there was not an act of foul play which merited a red card, and therefore the red card was not upheld.

The player is free to play.

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 type="checkbox"/> Reckless		
State Reasons		
There was no evidence that the player deliberately stamped the head of an Israeli player. This action was accidental, very light, not dangerous and without consequences for any Israeli player. The Disciplinary Panel accepted the player did not commit an act of foul play.		
Gravity of player's actions		
None		
Nature of actions		
Accidental		
Existence of provocation		
No provocation		
Whether player retaliated		
No retaliation		
Self-defence		
No Self-defence		
Effect on victim		
None		
Effect on match		
No consequence, except that Israel team won the game in the lase minutes		
Vulnerability of victim		
None		
Level of participation/premeditation		
No premeditation		
Conduct completed		
Conduct not completed		
Other features of player's conduct		
None		
Entry point		
<input type="checkbox"/> Top end [XX] 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		
NA		

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		
None		
Need for deterrence		

None
Any other off-field aggravating factors
None

Number of additional weeks:

Summary of reason for number of weeks added:
NA

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
NA	NA
Youth and inexperience of player	Conduct prior to and at hearing
NA	NA
Remorse and timing of remorse	Other off-field mitigation
NA	None

Number of weeks deducted: []

Summary of reason for number of weeks deducted:
None

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	None	<input type="checkbox"/> Sending off sufficient
Sanction commenced		
Sanction concludes		
Matches/tournaments included in sanction	None	

Costs	None
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Date	21/11/2022
Signature (JO or Chairman)	<i>Achille Reali</i>

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)