

## DECISION FORM

PARTICULARS OF OFFENCE			
Player's Name	Teodor URSU		
Player's Union	Romania Rugby Union		
Match	Lithuania v Romania		
Competition	European Games – 7s Olympic Qualifier		
Date of match	26.06.2023		
Match Venue	Municipal Stadium – Henryk Reyman		
Rules to apply	Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program		
Referee Name	Paulo DUARTE	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	9.12 Kicking	<input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	26.06.2023	Hearing venue	On site at the tournament venue
Chairperson/JO	Samantha Hillas KC (Eng)		
Other Members of the Disciplinary Panel	N/A		
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)	Daniel CARPO (Team Manager)	Other attendees	Bartosz Marczyński (Tournament Disciplinary Co-ordinator)
List of documents / materials provided to Player in advance of hearing	Citing Commissioner's Report Match sheet Video clips x 9 showing the incident from various angles		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p><i>"In the second half at 6'53 minute, after Lithuania's kick off, Romania's player No.11 jumped to retrieve the ball and caught it with both hands. However, as he descended to the ground, he looked at Lithuania No.6 and intentionally directed his left foot towards his face constituting dangerous play"</i></p>

The video footage (particularly clips numbered 2 and 5) show the incident at close range. R11's foot connects with L6's face after R11 catches the ball and is descending. L6 stops and puts his hands up to his face

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

N/A – L6 continued in the game

**SUMMARY OF PLAYER'S EVIDENCE**

In summary, the player's evidence was as follows:

He apologised immediately for his actions and was aware it was an act of foul play, although it was not intentional. He remembers the kick off and jumping for the ball. He caught the ball and cannot remember seeing the other player at that point. As he caught the ball, two things happened. First, he saw the other player coming in for the tackle - he thought he was about to be tackled in the air and squeezed/braced himself for the tackle. The second was that he was unbalanced and was falling backwards. As a result of both of those factors, his left leg/foot extended out and upwards. He accepts he made direct contact with the head of L6 and accepts this was foul play but says it was reckless. He hopes the other player was not injured – he had no intention to cause him any harm.

**FINDINGS OF FACT**

I find that:

- After the Player caught the ball in the air, his left leg/foot extended outwards and made contact with the head of L6 who was coming in for the tackle
- I accept the Player's account that (i) he thought he was about to be tackled in the air so braced himself and (ii) he lost his balance and was falling backwards – this caused him to instinctively extend his leg
- This was an act of foul play although was not intentional. It was reckless.

**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		
<b>Assessment of Intent</b>		
<input type="checkbox"/> Intentional/deliberate <input checked="" type="checkbox"/> Reckless		
<b>State Reasons</b>		
See findings above		
<b>Gravity of player's actions</b>		
Thankfully, whilst this incident could have caused injury to L6, he was not injured and was not removed from the field of play		
<b>Nature of actions</b>		
Reckless kick to the head whilst catching the ball in the air from a kick off		
<b>Existence of provocation</b>		
N/A		
<b>Whether player retaliated</b>		
N/A		
<b>Self-defence</b>		
N/A		
<b>Effect on victim</b>		
The video footage shows L6 stop and put his hands up to his face but I was informed there wa no injury and he continued in the game		
<b>Effect on match</b>		
None		
<b>Vulnerability of victim</b>		
L6 was in a vulnerable position as the Player was jumping and so higher than L6 – he was in a vulnerable position when the Player extended his leg		
<b>Level of participation/premeditation</b>		
Full participation		
<b>Conduct completed/attempted</b>		
Completed		
<b>Other features of player's conduct</b>		
N/A		
<b>Entry point</b>		
<input type="checkbox"/> Top end [XX] Weeks	<input checked="" type="checkbox"/> Mid-range 8 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.		
<b>Reasons for selecting Entry Point above Top End</b>		
N/A		

RELEVANT OFF-FIELD MITIGATING FACTORS	
As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby	
<b>Acknowledgement of guilt and timing</b>	<b>Player's disciplinary record/good character</b>
The Player admitted the act of foul play at the earliest opportunity	Clean record

<b>Youth and inexperience of player</b>	<b>Conduct prior to and at hearing</b>
The player is 22 years old and has been playing for 7 year	Excellent
<b>Remorse and timing of remorse</b>	<b>Other off-field mitigation</b>
The Player expressed remorse and hoped he had not caused any harm to L6	N/A

Number of weeks deducted: **4**

<b>Summary of reason for number of weeks deducted:</b>
I was prepared to give the Player the maximum mitigation due to the factors set out above

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

Number of additional weeks: **0**

<b>Summary of reason for number of weeks added:</b>
N/A

## 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)

<b>Total sanction</b>	4 matches	<input type="checkbox"/> Sending off sufficient
<b>Sanction commences</b>	26.06.2023	
<b>Sanction concludes</b>	TBC	
<b>Matches/tournaments included in sanction</b>	The 2 x remaining games of the European Games. The 2 x games of the 2 <sup>nd</sup> leg of Rugby Europe Championship to be played in Hamburg on July 7, 8 and 9; if the player is selected for that tournament.	

<b>Costs</b>	None
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<b>Date</b>	26.06.2023
<b>Signature</b> (JO or Chairman)	SAMANTHA HILLAS KC

**NOTE:** You have 48 hours (24 hours for any Rugby Europe 7s event) 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)