

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence

Player's Name: Rodrigo Freudenthal

Player's number: 5

Player's union: Portugal

Competition: RE 7's Championship

Host Team (T1): Belgium

Visiting Team (T2): Portugal

Venue: Gradski Sportski Centar, Makarska, Croatia

Date of match: 9/06/2024

Rules to apply: Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program; or Other

Referee Name: Eki Fanlo

Plea: Admitted Not admitted

Offence: Red card Citing Other

If "Other" selected, please specify:

Hearing details

Chairperson / JO: Bartosz Marczyński

Other Members of the Disciplinary Panel:

- -
- -

Hearing date: 9/06/2024

Hearing venue: Gradski Sportski Centar, Makarska, Croatia

Appearance Player: Yes No

Appearance Union: Yes No

Player's Representative(s): Francisco C Martins

Other attendees: -

List of documents/ materials considered by the Panel:

1. Citing report,
2. game sheet,
3. team sheet,
4. video clip
5. Notice of disciplinary hearing
6. Medical report from Mario Inlesias - RE Medical Delegate

Summary of essential elements of citing / Referee's report / Incident footage

9.11 Players must not do anything that is reckless or dangerous to others including leading with the elbow or forearm, or jumping into, or over, a tackler.

P5 takes the ball into contact running in his own 22m. He changes direction and runs at an angle He is tackled by a Belgium player around his waist. Belgium 4 (Timothe Rifon) is positioning himself for a tackle. He is upright. Just as P5 is tackled he raises his right arm and extends it from his body at right angles. His right arm is horizontal with the ground. His right elbow makes direct contact with the throat of the B4 who immediately falls to the ground clutching his throat, receiving immediate on field medical attention B4 was subsequently taken to Split hospital The raising of the right arm by P5 was unnatural and unnecessary and in making direct contact with the throat, posed a high degree of danger. This action meets the red card threshold.

Essential elements of other evidence (e.g. medical reports)

1. Medical report from Mario Inlesias - RE Medical Delegate: *The player number 4 of the Belgian team presented shortness of breath and dysphonia after an impact on his throat during the Portugal v Belgium match. First airway onfield evaluation: normal breathing noises, preserved ability to speak, dysphonia, pain, and shortness of breath; no crepitation. Offfield assessment: normal breathing noises, preserved ability to speak, dysphonia, pain, shortness of breath and inflammation in the right side of the throat; still no crepitation. As the inflammation was gradually increasing, the player was sent to Split by ambulance for further examination and treatment. A doctor went with him in the ambulance, in prevention of any complications during the 64km trip*

Summary of player's evidence

The Player accepts foul play and citing report.

At the hearing he explained the action, stating that he lost his balance due to a tackle.

This was the reason he lifted his arm too high. He was sorry for the foul play which he committed and accepted the CC Report stressing that his action wasn't intentional but accidental.

He also said he contacted Belgian Team Manager and received from him victim's phone number.

He tried to call B4 but he didn't reply, so P5 sent him a text message with apologies and wishes for quick recovery.

He had no intention to hurt his opponent.

Findings of fact

From the video footage it was clear that the Player is tackled legally by a Belgium player around his waist. Belgium 4 (Timothe Rifon) is upright and positioning himself for a tackle. Simultaneously P5 is tackled and raises his right arm and extends it from his body horizontal with the ground. His right elbow does make a direct contact with the throat of the B4 who immediately falls to the ground clutching his throat. This situation is clearly seen at the video footage from the camera situated behind the posts.



B4 receives immediate on field medical assistance and was taken to Split hospital. The Match Day Doctor confirmed the state of the victim player as written above. I found, that the Player had committed an act contrary to Regulation 9.11, which he admitted. The action of Belgium tackler involved in the situation was considered as a mitigating factor but in my opinion his action had no influence on the incident.

Decision

Proven Not proven Other disposal (please state)

SANCTIONNING PROCESS

Assessment of seriousness

As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby

Assessment of intent:

Intentional/deliberate Reckless

Reasons for finding as to intent:

The player stated, he had no intention of foul play. The situation was very dynamic what leads me to accept that the action was not on purpose.

Nature of actions

As above

Existence of provocation:

None

Whether player retaliated:

N/A

Self-defence:

N/A

Effect on victim:

Due to available medical report - serious effect as described above

Effect on match:

None

Vulnerability of victim:

As described above

Level of participation / premeditation:

N/A

Conduct completed / attempted:

N/A

Other features of player's conduct:

N/A

Entry point

Low-end



Weeks

Mid-range

X

Weeks

Top end



Weeks

Reasons for entry point:

Direct neck contact, high degree of danger

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 accepted the foul play and citing report

Player's disciplinary record/good character:

None (long playing career, for 20 years not even a YC!)

Youth and inexperience of player:

26 years old, playing rugby since he was 6

Conduct prior to and at hearing:

Both the player and the team manager behaved in an exemplary way at the hearing.

Remorse and timing of Remorse

The player apologised the opponent and his team manager. There was a genuine remorse as the player made an effort to contact Belgian TM, get the victim's phone number and contacted him.

Other off-field mitigation:

The player is a volunteer at his club,

Number of weeks deducted: [3]**Summary of reason for number of weeks deducted:**

Full mitigation due to the reasons stated above

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:

N/A

Need for deterrence:

N/A

Any other off-field aggravating factors:

N/A

Number of additional weeks: [XX]

Summary of reason for number of weeks added:

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)

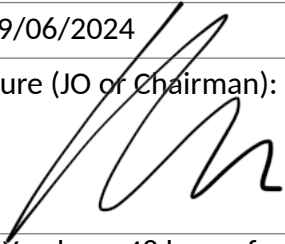
Total sanction: 3 weeks/matches	<input type="checkbox"/> Sending off sufficient
Sanction commences: RE Championship 7's match on 9/06/2024 (Portugal v Italy)	
Sanction concludes: 28/06/2024 (RE Championship in Hamburg, Germany)	
Matches/ tournaments included in sanction: 2 matches in RE Championship in Hamburg, Germany	
Costs: -	

Signature

Name of the JO or Chairman: Bartosz Marczyński

Date: 9/06/2024

Signature (JO or Chairman):



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 rule)