



DECISION FORM (FIRST INSTANCE)

PARTICULARS OF OFFENCE			
Player's Name	Ahmet Faruk Can		
Player's Union	Turkey		
Match	Sweden v Turkey		
Competition	RE U18 7s Trophy		
Date of match	25 July 2021		
Match Venue	Stadium Daugava		
Rules to apply	Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program;		
Referee Name	NA	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> 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.	<input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	25 July 2021	Hearing venue	Hotel Rija Vef
Chairperson/JO	Karlis Sarkans, Judicial Officer of the tournament		
Other Members of the Disciplinary Panel	NA		
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)	Team manager: Engin Comurcu Team coach: Ali Muslum HIM	Other attendees	
List of documents / materials provided to Player in advance of hearing	<ul style="list-style-type: none">- Citing Commissioner Report- Video Clip of the incident (link in report)		

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

The Swedish player is upright and in open play, therefore no mitigation is available. The Player tackled his opponent with his tackle starting above the line of the shoulders. As a result of reviewing the video angles, I believe that The Player (FARUK CAN) tackled his opponent (BERGIN) with his tackle starting above the line of the shoulders and made head contact with his right shoulder. This posed a significant risk to the safety of the player and constitutes a dangerous tackle.

Swedish medical staff attended to the injured player who was able to carry on for 30 seconds before he was substituted. However, after the game he was referred to the tournament doctor and at the time of citing is unavailable for comment.

The citing report is an accurate description of the incident.

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

There is no written report from medics, but JO had conversation with Swedish coach Medical staff at hotel. They said that had run the HIA protocol (Head Injury Assessment), in summary Injured Player could answer on questions and pass the HIA protocol. But due to pain in neck/head area player later was removed from field of play.

As safety measurement for the Injured Player – team Swedish managers has been instructed that player need to have “soft regime” and be under surveillance to observe state of players health.

SUMMARY OF PLAYER’S EVIDENCE

Player did not speak English, so his words and discussion with JO was translated by Turkey team manager and coach.

At the beginning of the hearing The Player already seems was little bit scared. But is very polite and calm.

Both The Player and the team staff members admitted foul play and citing. They said that have read Citing Commissionaire report and saw video (was in Citing Commissionaire report). So there is no need to review it again.

The Player is very inexperienced – 2 years in Rugby only. Underage rugby is new in Turkey. Action was not on purpose/intentionally, player did not target the opponent’s head.

The Player showed truly remorse.

Team manager informed, that when they were called for citing information after the game (after dressing), they did not still know about citing, they went in stadium and saw Swedish team that was inspecting players health (BERGIN). They have come near and talked and apologised/made handshake as they get information, that this player has been injured in last game against Turkey.

JO informed and Turkey team manager accepted that team/players/staff should be get informed about HCP (Head Contact Process) - <https://www.world.rugby/the-game/laws/guidelines/17>

During the hearing the player behaviour was very good and respectful. His disciplinary record is good.

FINDINGS OF FACT

After reviewing all evidence (video and Citing Commissioner Report) JO opinion is that the player committed an offense contrary to law 9.13.

The offence was a reckless because The Player had a clear line of sight, but he did not attempt to change height for tackle and there was no sudden/significant drop in height or change in direction from opponent. As result there was direct contact to the opponent head. The speed appearing not to be high, however sufficient to justify a serious degree of danger as shoulder contacts directly head with force.

The Player agreed on incident (foul play and citing).

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 checked="" type="checkbox"/> Reckless		
State Reasons		
The JO accepted this was not an intentional or targeted action – to hit the opponents head, but The Player chooses wrong height and performs deliberate high tackle.		
Gravity of player’s actions		
Player made direct shoulder contact with opponents head with force. That is potentially a dangerously grave offence.		
Nature of actions		
Direct shoulder contact with opponents head in medium speed with force.		
Existence of provocation		
N/A		
Whether player retaliated		
N/A		
Self-defence		
N/A		
Effect on victim		
BERGIN BLUE #3 after double tackle has been brought to the ground clutching his head. Swedish medical staff attended immediately to the injured player, who was able to carry on for 30 seconds before he was substituted. As per Swedish staff information – he has head/neck pains, that ended later after shower. Player will need rest and be under surveillance to observe state of players health.		
Effect on match		
BLUE #3 was removed from play		
Vulnerability of victim		
BLUE #3 was starting advance forward after catching ball. Was in straight position and not bending. Head/neck area were in medium vulnerable position. But could not defend himself from the dangerous type of contact as it was double tackle and free left hand (without ball) was used to push back player on left side.		
Level of participation/premeditation		
No intention but reckless act of foul play due to low technique.		
Conduct completed/attempted		
Completed		
Other features of player’s conduct		
Apology and remorse		
Entry point		
<input type="checkbox"/> Top end [XX] Weeks	<input checked="" type="checkbox"/> Mid-range [6] 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		

This was a reckless dangerous act of foul play that involved a speed and also force against the head of another player, as result opponent player has been injured, later (30s) removed from play. Continues to be under medical supervision and is recommended rest and discontinuation of physical activity for couple of days.

However, in tournament time when had discussions with Tournament Director Mario Costa, he pointed that if we make decision, we need to consider that these are first such level competitions for these boys in two years because of Covid-19 impact and that there is one year lost in possible experience gain and continuity for all U18 age group.

Taking into account this – Mid-range sanction 6 matches would be sufficient.

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	
No	
Need for deterrence	
No	
Any other off-field aggravating factors	
None	

Number of additional weeks: 0

Summary of reason for number of weeks added:
N/A

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
The Player admit guilt and took responsibility for his actions.	Clean record
Youth and inexperience of player	Conduct prior to and at hearing
2 years in rugby so player is inexperienced.	The Player had shown very good, respectful conduct throughout the disciplinary process and at the hearing.
Remorse and timing of remorse	Other off-field mitigation
Truly remorse and claims that with Team Manager went and have apologized to the injured player after the match.	No

Number of weeks deducted: **3 matches in 7s (bearing in mind that 1 week suspension in 15s' equals 1 match suspension in 7s')**

Summary of reason for number of weeks deducted:
Taking in account all evidence: <ul style="list-style-type: none"> - Players experience (young and very inexperienced), such tournament for him was first time. - Interruption of rugby trainings and competitions due to Covid-19 pandemics.

- Admit guilt and took responsibility for his actions - have apologized to the injured player
- Very good, respectful attitude in hearings.

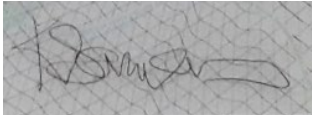
The JO is convinced that 50% deduction (maximum possible reduction) is appropriate for this case.

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 Matches or 3 weeks	<input type="checkbox"/> Sending off sufficient
Sanction commences	25.07.2021	
Sanction concludes	This is to be determined. No evidence was available at the hearing as to the Player's playing schedule. So this means 3 Matches or 3 Weeks must be missed in Turkey national U18 championship.	
Matches/tournaments included in sanction	3 Matches or 3 Weeks must be missed in Turkey national U18 championship.	

Costs	0
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Date	
Signature (JO or Chairman)	Karlis Sarkans 

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)