

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: Amir Rademaker	
Player's number: 9	
Player's union: Netherlands	
Competition: Rugby Europe Men Championship	
Host Team (T1): Georgia	Visiting Team (T2): Netherlands
Venue: Avchala Stadium, Tbilisi	
Date of match: 10/02/2024	
Rules to apply: Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program; or Other	
Referee Name: Ethan Glass	
Plea: <input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted	
Offence: <input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <i>If "Other" selected, please specify:</i>	
Hearing details	
Chairperson / JO: Jennifer Donovan	
Other Members of the Disciplinary Panel: - Michiel van Dijk - Rose Alice Murphy	
Hearing date: 15/02/24	
Hearing venue: On remote	
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): Kristof Vanhout, Technical Director	
Other attendees: David Baird-Smith, Rugby Europe	
List of documents/ materials considered by the Panel: 1. Game sheet 2. Citing Commissioner report 3. Video clips of the incident 4. Medical Information submitted by Vasile Abashidza, Georgia Team Manager. 5. Notice of Hearing. 6. Players's Replies to Directions.	
Summary of essential elements of citing / Referee's report / Incident footage	
<p>The player was cited for a dangerous tackle contrary to Law 9.13. The Report of the Citing Commissioner also referred to Law 9.20 which was deemed by the committee not to be relevant to the incident and which was disregarded.</p> <p>The Citing Commissioner ("The CC") reported that the player, who was following a kick, had tackled Georgia No. 9 ("G9") who had just caught the ball and that head contact occurred. The CC that there had been an intentional foul play infringement involving direct contact between the left shoulder of the player and the head of G9. The level of danger was deemed to be high because the tackle was at speed and with force. The CC reported that there were no mitigating factors as the player had a clear line of sight and was dynamic.</p>	

A short clip of the incident was available which gave a clear view of the tackle. The player can be seen running forward at speed, following a kick. G9 caught the ball. The Georgian No. 3 ("G3") was a short distance in front of G9. G3 moved slightly into the line between G9 and the player as he approached. The player ran past G3 and tackled G9. Contact was made between the left shoulder of the player and the head of G9.

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

The Georgian Team Manager submitted an email, on request, setting out the following information from the team Doctor:-

1. Player does not have any symptoms.
2. No medical treatment on field.
3. No medical treatment off field.
4. Player does not have any symptoms".

The email also advised of the following statement from the player:

"I will describe the moment as a standard playing situation, I did not get any damage".

Summary of player's evidence

The player admitted the act of foul play but did not accept that the offending met the red card threshold. With reference to the Head Contact Process, the player accepted that head contact had occurred and that there was foul play. The player had indicated in his replies to Directions that he did not accept that the offending was intentional and that there were "mitigating factors for a yellow card". The player confirmed that he accepted that the degree of danger was high but sought to argue that mitigating factor existed which ought to reduce the appropriate sanction from red card to yellow card.

The player argued that two mitigating factors existed. Firstly, he argued that there had been a change in dynamics due to the actions and positioning of G3. He said that G3 had caused him to change his line of running so as to go around G3 and also that G3's positioning had resulted in the player momentarily losing sight of G9 as he entered the tackle area. He submitted that this had a significant affect on the tackle.

Secondly, the player argued that there had been a sudden and significant change in both height and direction by G9. It was submitted that that G9 had bent his knees and lowered his height on catching the ball and that G9 had then moved toward his right, pushing off of his left foot. The player said that he had expected to tackle G9 with his right shoulder but that the change in direction resulting in him making the tackle with his left shoulder. When asked, the player did not accept that the bending of the knees G9 was a reasonable or expected action of player catching a high ball. The player argued that both the change in height direction were sudden and significant and had caused him to tackle in a way in which he was not expecting.

Findings of fact

It was found that the player had carried out a dangerous tackle contrary to Law 9.13. It was found that the tackle resulted in direct and forceful contact between the shoulder of the player and the head of G9. It was found that the level of danger was high and that the appropriate starting point for sanction was red card. All of these matters were admitted by the player when confirming his replies to Directions at the outset of the hearing.

The committee carefully considered the submissions made by the player in relation to the existence of mitigating factors and viewed the footage of the incident numerous times during deliberations. The two particular circumstances of possible mitigation as set out by the player were considered. It was not suggested by the player that any other mitigating factors existed.

In relation to the involvement of G3, the Law Application Guidelines provide that mitigation may be applied where there is a late change in dynamics due to another player in the contact area. G3 was not in the immediate contact area but his involvement was none the less considered. It was found that the player was required to slightly alter his line of running to avoid G3 but only slightly. It was not accepted that the players line of sight was interfered with to any significant degree. It was found that the involvement of G3 was not significant and did not have any material effect on the tackle.

The committee then considered the actions of G9 and whether there had been a sudden/significant drop in height of charge in direction from the ball carrier. Again, the footage was viewed repeatedly. G9 did bend his knees as he caught the ball. The committee considered this to be a normal and predictable action for a player under a high ball and did not find that there was a sudden or significant drop in height of G9 as a result. It was found that that there was some movement of G9 towards his right but again, this was not found to be sudden or significant.

The committee did not agree with the player in relation to the existence of mitigation and the citing was therefore upheld.

Decision

Proven Not proven Other disposal (please state)

SANCTIONING PROCESS

Entry point					
Low-end <input type="checkbox"/>	Weeks [XX]	Mid-range <input checked="" type="checkbox"/>	Weeks 6	Top end <input type="checkbox"/>	Weeks [XX]
Reasons for selecting entry point:					
The Mandatory minimum entry point for the offence is mid-range. Considering all factors the committee saw no reason to apply an entry point of top-end and so the mid-range entry point was deemed appropriate.					
Nature of actions					
Direct and forceful contact between the shoulder of the player and the head of G9.					
Existence of provocation:					
N/a					
Whether player retaliated:					
N/a					
Self-defence:					
N/a					
Effect on victim:					
The victim was uninjured and continued to play. It was confirmed that the player had no symptoms and received no medical treatment.					
Effect on match:					
Nil.					
Vulnerability of victim:					
The player was on his feet and upright and was not in a particularly vulnerable position.					
Level of participation / premeditation:					
Full participation, no premeditation.					
Conduct completed / attempted:					
Completed.					
Other features of player's conduct:					
No.					

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 accepted in his replies to Directions that he had committed an act of foul play.	The player has had no previous disciplinary issued.
Youth and inexperience of player:	Conduct prior to and at hearing:
The player has 11 years experience of playing for his national side.	Exemplary.
Remorse and timing of Remorse	Other off-field mitigation:
The player indicated that he had apologised to G9 after the match.	The player's representative indicated that the player is involved with youth teams at national and club level.

Number of weeks deducted: 3

Summary of reason for number of weeks deducted:

The committee was satisfied, based on the reasons outlined above, that the player should be entitled to a 50% reduction in the sanction period.

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: 0

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	<input type="checkbox"/> Sending off sufficient
Sanction commences: 10/02/2024	
Sanction concludes: Midnight on 02/03/2024	
Matches/ tournaments included in sanction: 18/02/2024 Netherlands v Germany. 24/02/2024 Den Haag v Castricum. 02/03/2024 Semi Finals R.E.C.	
Costs: Nil	

Signature
Name of the JO or Chairman: Jennifer Donovan
Date: 15/02/2024
Signature (JO or Chairman): <i>Jennifer Donovan</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 rule)