

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: Armandas KALINAUSKAS	
Player's number: 8	
Player's union: Lietvus Regbio Federacija	
Competition: Rugby Europe 7s Championship Series - Hamburg Sevens	
Host Team (T1): Czechia	Visiting Team (T2): Lithuania
Venue: Sportanlage Steinwiesenberg, Hamburg	
Date of match: 09/07/2023	
Rules to apply: World Rugby Regulation 17; Rugby Europe Disciplinary Regulation.	
Referee Name: Mike Hawkins	
Plea: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	
Offence: <input type="checkbox"/> Red card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other: <i>two temporary suspensions (yellow cards) in one match</i>	
Hearing details	
Chairperson / JO: Gert-Mark Smelt	
Other Members of the Disciplinary Panel: n/a	
Hearing date: 09/07/2023	
Hearing venue: tournament venue, Hamburg.	
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): A. Minkeviciute, secretary-general LRF	
Other attendees: n/a	
List of documents/ materials considered by the Panel: email containing notice of hearing; two yellow card reports.	
Summary of essential elements of citing / Referee's report / Incident footage	
The player received two yellow cards in one match. Both were for high tackles (9.13).	
Essential elements of other evidence (e.g. medical reports)	
n/a	
Summary of player's evidence	
The player admitted the two high tackles in the match and conceded they both warranted a yellow card. He explained that in tackling he tries to grab the opponent around the arms to smother the ball.	
Findings of fact	
The player made two high tackles in one match. Both warranted a yellow card.	
Decision	
<input checked="" type="checkbox"/> Proven <input type="checkbox"/> Not proven <input type="checkbox"/> Other disposal (please state)	

SANCTIONING PROCESS

Assessment of seriousness
<i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>
Assessment of intent:
<input type="checkbox"/> Intentional/deliberate <input checked="" type="checkbox"/> Reckless
Reasons for finding as to intend:
There is no evidence for the tackles being other than reckless. Although the player states his intentions with the chosen way of tackling – tackling below the shoulders, grabbing the arms to smother any passing –, that does not necessarily make them intentionally dangerous. They are at least persistently reckless.
Nature of actions
The referee reported both tackles as dangerous high tackles.
Existence of provocation:
n/a
Whether player retaliated:
n/a
Self-defence:
n/a
Effect on victim:
n/a There is no evidence about the effect on the victims.
Effect on match:
n/a
Vulnerability of victim:
The head/neck are vulnerable parts of the body.
Level of participation / premeditation:
N/a
Conduct completed / attempted:
Completed
Other features of player's conduct:
n/a

Entry point					
Low-end	Weeks	Mid-range	Weeks	Top end	Weeks
<input checked="" type="checkbox"/>	2	<input type="checkbox"/>		<input type="checkbox"/>	
Reasons for selecting entry point:					
<p>Where a Player[.] has received over a Match two yellow cards; or a combination of one yellow card and one Citing Commissioner Warning; the designated Judicial Officer is required to apply a sanction for the offence of persistent offending, not for the substantive offences relating to each yellow card and/or Citing Commissioner Warning. Ordinarily, the appropriate entry point sanction in such circumstances is a suspension of one to two weeks. (4.2.3 RE Disciplinary Regulation)</p> <p>None of the two yellow cards were for a technical offence. They both were for exactly the same sort of dangerous action.</p>					

Relevant off-field mitigating factors	
<i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>	
Acknowledgement of guilt and timing:	Player's disciplinary record / good character:
The player acknowledged guilt at the hearing, being the first possible opportunity.	There is no red card history. The player stated openly about one yellow card, four years ago.
Youth and inexperience of player:	Conduct prior to and at hearing:
N/a The player is an experienced player.	The player was respectful throughout the hearing and answered questions openly and honestly, even if the answers would not serve him (e.g. about him being an experienced player)
Remorse and timing of Remorse	Other off-field mitigation:
N/a	The secretary-general of the LRF stated that the player is a coach for U16 7s, is trusted by the LRF to do that coaching, and is no troublemaker

Number of weeks deducted: 1
Summary of reason for number of weeks deducted:
Although the mitigating factors do not add up to a full 50% mitigation, they have enough weight to merit a rounding of the number in his favour to 1 week.

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: -**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: 1 week Sending off sufficient**Sanction commences:** 09/07/2023

Sanction concludes: The player is directed to supply his playing schedule to allow calculation (see World Rugby Regulation 17.21.3). Until this is supplied and until the information provided is deemed sufficient by the Judicial officer to base his decision upon, the player is not eligible to participate in any on field activities worldwide.

Matches/ tournaments included in sanction: see before**Costs:** n/a**Signature**

Name of the JO: Gert-Mark Smelt

Date: 09/07/2023

Signature JO:

NOTE: You have ~~24~~ 24 hours from notification of the decision of the chairman/jo to lodge an appeal with the tournament director – RE Discipline Regulations 4.7.2 (or equivalent Tournament rule)