



DECISION FORM

Fabien Perrin SPA#11

PARTICULARS OF OFFENCE			
Player's Name	Fabien Perrin SPA#11		
Player's Union	Spanish Rugby Union (FER)		
Match	Portugal v Spain		
Competition	2021 Rugby Europe Men XV Championship		
Date of match	March 27 th 2021		
Match Venue	Jamor - Lisbon - Portugal		
Rules to apply	Rugby Europe Disciplinary Regulations and World Rugby Regulations		
Referee Name	Ludovic CAYRE (FFR)	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	Law 9.17 A player must not tackle, charge, pull, push or grasp an opponent whose feet are off the ground.	<input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	March 31 st 2021 at 7:30 pm CET	Hearing venue	Video Conference Teams
Chairperson/JO	Michael Coghlan (Ireland)		
Other Members of the Disciplinary Panel	Chris Morgan (Wales) Mike Hamlin (England)		
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)	Eric Jara	Other attendees	
List of documents / materials provided to Player in advance of hearing	1. POR v SPA 210327 - Referee report - SPA#11 Fred Perrin 2. POR v SPA 210327 - Video Clip 1 - SPA#11 Fred Perrin 3. POR v SPA 210327 - Video Clip 2 - SPA#11 Fred Perrin 4. POR v SPA 210327 - Video Clip 3 - SPA#11 Fred Perrin 5. POR v SPA 210327 - Video Clip 4 - SPA#11 Fred Perrin 6. POR v SPA 210327 - Video Clip 5 - SPA#11 Fred Perrin 7. POR v SPA 210327 - Video Clip 6 - SPA#11 Fred Perrin 8. POR v SPA 210327 - Video Clip 7 - SPA#11 Fred Perrin 9. POR v SPA 210327 - Video Clip 8 - SPA#11 Fred Perrin 10. POR v SPA 210327 - Video Clip 9 - SPA#11 Fred Perrin		

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

Tackle in the air contrary to law 9.17

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

Nothing

SUMMARY OF PLAYER'S EVIDENCE

Fabien Perring (The Player) accepted his offence to one that merited the issue of a red card by the referee. But he said that there were attenuating circumstances. He was playing on the wing. The ball was kicked high towards him by the opposition. He followed the flight of the ball and was dazzled when hooking up into the air. He was standing under the ball when an opponent jumped and caught the ball in the air. The opponent was then landing on the place where the player was standing. He grabbed at the opponent's shorts and did not really hold the other player who fell to the ground partly on his shoulder and his neck.

He said that he was an experienced player with 19 caps for Spain but was a centre and was not used to playing wing or jumping in to catch high balls. He said that the referee had to go to the TV monitor before issuing the red card.

His opponent received treatment on the field but then resumed and played well for the rest of the match.

He said his intention was to hold his opponent to the ground but this did not get well.

FINDINGS OF FACT

Player committed an act of foul play contrary to law 9.17 when tackling the opponent while in the air.

The Committee are unanimously agreed that an act of foul play was perpetrated contrary to law 9.17 by the Player when, having made contact with his opponent in the air, he failed to bring him safely to ground.

The tackle itself was a clumsy affair and consistent with the explanation of the Player.

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 moderately		
State Reasons		
Player inexperience of wing play / blinded by the sun		
Gravity of player's actions		
Minor - Law 9.17		
Nature of actions		
Failed to guide opponent safely to ground after making contact / holding the player's shorts.		
Existence of provocation		
None		
Whether player retaliated		
NR		
Self-defence		
NR		
Effect on victim		
Minor injury to head/neck area		
Effect on match		
Score even at time of sending off. Portugal subsequently won 43-28.		
Vulnerability of victim		
Yes - Off his feet in the air		
Level of participation/premeditation		
None		
Conduct completed/attempted		
No player underneath opponent at point of contact		
Other features of player's conduct		
None relevant		
Entry point		
<input type="checkbox"/> Top end <input type="checkbox"/> Weeks	<input type="checkbox"/> Mid-range <input type="checkbox"/> Weeks	<input checked="" type="checkbox"/> Low-end 4 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		
Extenuating circumstances leading to point of collision.		

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		
Non relevant		
Need for deterrence		
None		
Any other off-field aggravating factors		
None		

Number of additional weeks: None

Summary of reason for number of weeks added:

No real intent to tackle opponent.

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
Yes immediately	Very good
Youth and inexperience of player	Conduct prior to and at hearing
Experienced as wing	Excellent
Remorse and timing of remorse	Other off-field mitigation
Yes prior to hearing	None

Number of weeks deducted: 50% deduction (-2 weeks)

Summary of reason for number of weeks deducted:


1. The player's recollections and explanations concerning the incident in question were both credible and persuasive.
2. The Player accepted the red card and cooperated fully during the hearing.
3. The Player was only one red card going back to 2014 on his disciplinary record.

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	2 weeks	<input type="checkbox"/> Sending off sufficient
Sanction commences:	21/3/2021	
Sanction concludes:	10/4/2021	
Matches/tournaments included in sanction	2 matches: 02/04/2021 Colomiers Rugby v Provence Rugby 09/04/2021 RC Vannes v Colomiers Rugby	

Costs:	None
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Date	31/3/2021
Signature (JO or Chairman)	Michael P. Coghlan 

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)