



DECISION FORM

PARTICULARS OF OFFENCE		
Player's Name	Alphonso Tapadinhas	
Player's Union/club	Portugal	
Match	Portugal v Belgium	
Competition	Rugby Europe U20 Championship	
Date of match	13/11/2022	
Match Venue	Car Jamor Stadium, Lisbon, Portugal	
Rules to apply	Regulation 17 World Rugby Handbook;	
Referee Name	Franco Rosella	
Offence	9.12 Contact with the eye area	<input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:

HEARING DETAILS		
Hearing date	15/11/2022	Hearing venue: On remote
Chairperson/JO	Jennifer Donovan	
Other Members of the Disciplinary Panel	Michiel van Dijk Rose Alice Murphy	
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)	Jose Carlos Augusto (Lawyer) Francisco Martins, FPR Vice President Nuno Filipe, Team Manager	Other attendees David Baird- Smith, Rugby Europe
List of documents / materials provided to Player in advance of hearing	1. Citing commissioner report 2. Game sheet 3. Video Clip 4. Notice of Hearing	

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

The Citing Commissioner's report outlined the circumstances leading to the incident. Belgium had scored a try from a maul. The player had been defending that maul and was in contact with two opposition players including the Belgian No. 19 ("BEL19"). The player is pushed by BEL19 and report indicated that the player then "...put his hands on the sides of BEL 19's head, grabbing his head gear and with his right thumb on the cheek bone near BEL19's left eye and shoves BEL19 backwards with a sharp and forceful action".

The report confirmed that BEL19 did not require medical attention and was uninjured. BEL19 did not report contact with his eye.

The match footage supported the description of the incident contained in the Citing Commissioner's Report.

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

Nil

SUMMARY OF PLAYER'S EVIDENCE

The player spoke on his own behalf and confirmed at the outset that he accepted that he had committed an act of foul play but he did not accept that it was an act of foul play that warranted a red card.

He explained that following the try the opposition players were grabbing him and that he pushed back in order to try to escape from the situation. The player said that the BEL19's shoulder was near his head. The player said that he intended to push BEL19 away but did not direct that push towards any particular point of BEL19's body. When questioned the player admitted that he was reckless as to where contact was made with BEL19. The player also admitted that contact was made with the eye area of BEL19. The player indicated that it had not been his intention to do so and was apologetic. When asked he advised that he had shaken hands with BEL19 after the match. He had not apologised as he did not realise that there was any issue until he received the citing complaint.

FINDINGS OF FACT

The committee found, on the basis of the match footage and the player's own evidence, that the player had made contact with the eye area of BEL19. The committee was satisfied that this action was reckless and carried a high degree of danger such that it met the red card threshold. The citing complaint was therefore upheld.

The committee informed the player at the outset of the hearing that it did not intend to hear evidence in respect of the cited breach of Law 9.28 as the committee was of the view that same did not meet the standard necessary to uphold the 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		
On the evidence of the player the committee found that the offending was reckless		
Gravity of player's actions		
Any offending involving contact with the eye or eye area must be considered as a serious offence given the potential consequences.		
Nature of actions		
Contact with the eye area of the victim player		
Existence of provocation		
The player perceived himself to be under threat		
Whether player retaliated		
The player reacted to the above.		
Self-defence		
n/a		
Effect on victim		
Victim player was uninjured		
Effect on match		
Nil		
Vulnerability of victim		
The victim player was on his feet and facing the player – not in a vulnerable position		
Level of participation/premeditation		
Full participation		
Conduct completed/attempted		
Completed		
Other features of player's conduct		
N/a		
Entry point		
<input type="checkbox"/> Top end [XX] Weeks	<input type="checkbox"/> Mid-range [XX] 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 above Top End		
N/a		

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

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
Player accepted foul play at outset of hearing	Clean disciplinary record
Youth and inexperience of player	Conduct prior to and at hearing
The player is age 20, commenced playing at international level this year, has inly been playing rugby for ¾ years.	Excellent
Remorse and timing of remorse	Other off-field mitigation
Apologies at the hearing. Did not apologise to player as he was unaware of the offending at the time	n/a

Number of weeks deducted: 2

Summary of reason for number of weeks deducted:

Based on the reasons set out above the committee held that the player should be entitled to the maximum reduction in sanction.

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 / Matches	<input type="checkbox"/> Sending off sufficient
Sanction commences	13/11/2022	
Sanction concludes Midnight	04/12/2022	
Matches/tournaments included in sanction	27/11/2022 Direito v Agronomia 04/12/2022 SL Benfica v Direito	

Costs	Nil
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Date	18/11/2022
Signature	Jennifer Donovan

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)