

# DECISION FORM

To be sent to [discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu).



| Particulars of offence   |                                 |
|--|---------------------------------|
| Player's Name: Jonas Adriana Anna  |                                 |
| Player's number: 16  |                                 |
| Player's union: Hungary  |                                 |
| Competition: Rugby Europe Women 7s Trophy #1 2024  |                                 |
| Host Team (T1): Hungary  | Visiting Team (T2): Switzerland |
| Venue: NK Lučko Stadium, Zagreb, Croatia   |                                 |
| Date of match: 14 June 2024  |                                 |
| Rules to apply: Regulation 17 World Rugby Handbook and RE Disciplinary Regulations   |                                 |
| Referee Name: Philip Manolopoulos  |                                 |
| Plea: Foul play: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted; Red Card/Citing: <input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted   |                                 |
| Offence: <input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other<br><i>If "Other" selected, please specify:</i>  |                                 |
| Hearing details  |                                 |
| JO: Valeriu Toma (Romania)   |                                 |
| Hearing date: 14 June 2023   |                                 |
| Hearing venue: NK Lučko Stadium, Zagreb, Croatia   |                                 |
| 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): Erika Hollósi-Szigeti  |                                 |
| Other attendees: n/a   |                                 |
| List of documents/ materials considered by the Panel: Referee RC report  |                                 |
| Summary of essential elements of citing / Referee's report / Incident footage  |                                 |
| <p>1. The Player has been sent-off for an alleged breach of Law 9.18. The red card report reads: <i>"Spear tackle. Lift the player above the horizontal. Landed on head. Release the player recklessly."</i></p> <p>2. The footage shows that Switzerland is attacking from their own half and the ball gets to S1 who carries it forward to the half-way line. S1 is showed down by H18 how eventually grasps her right leg and lifts it. Momentarily after, the Player who is on the other side of S1 grasps her left leg and lifts it such that S1 is off feet, loses balance and is turned upside down. Both Hungarian players keep hold of S1 legs while S1 places her hands on the ground to prevent a dangerous landing. Finally the Hungarian players lose control of S1 who lands on her hands and knees.</p> |                                 |
| Essential elements of other evidence (e.g. medical reports)  |                                 |
| The Swiss team manager confirmed that the victim player sustained no injury whatsoever.  |                                 |
| Summary of player's evidence   |                                 |
| <p>At the beginning of the hearing the JO explained the disciplinary procedure including the burden of proof (in the event that the Player does not accept that the act of foul play warranted the Player being sent off or cited, the burden of proof rests on the Player to show that the referee/citing commissioner was wrong).</p> <p>In summary, the player and her representative submitted that:</p> <ul style="list-style-type: none"><li>- the Player accepts that she committed an act of foul play but she does not accept the red card threshold;</li><li>- there were two players carrying the tackle action on S1 and the Player was just the second one to act;</li></ul>  |                                 |

- S1 was lighter than expected due to the initial lift by H18 which the Player was not aware of;
- the Player did not drop nor speared S1, but S1 slides and places her hands down to stop the fall;
- S1 right leg was already lifted by H18 when the Player stated her action;
- the Player kept hold of S1 left leg until she finally lost control due to S1 position in the air.

The Player also admitted that:

- It's mainly S1's merit that she did not land on her head;
- players should be aware of the context of the play and act accordingly;
- S1 being flipped beyond horizontal is largely due to the Player's action to continue to lift her torso and right shoulder/right arm up in the air while keeping grasp of S1' leg;
- She could have avoided putting S1 in a dangerous position had she released her leg earlier.

### Findings of fact

The standard of proof for all matters under disciplinary procedures is the balance of probabilities.

The JO found that:

- this was a case where two tacklers were involved in the incident and both players share a part of the fault;
- H18 is indeed the first player to lift S1 from the ground;
- both Hungarian players keep hold of S1' legs until late when they loose control;
- the Player's action of lifting her right shoulder/arm combined with the initial lifting on the part of H18 causes S1 to be turned upside down and to land in a dangerous position;
- although it's largely S1's merit that she did not land on her upper body, the Player did not drop and did not "speared" S1 to the ground, however she "drove" her until she lost control of S1's leg;
- there was no intention or malice in the actions of the Player;
- it's very likely that, but for the action of the other player, the incident would not have resulted in a lifting tackle (in breach of Law 9.18);
- accordingly the Player could have prevented the offence by releasing S1's leg once she felt that S1 is "lighter" than expected .

In conclusion, the Player was not able to prove that by issuing the red card the referee was wrong and as such the red card is upheld.

### Decision

Proven  Not proven  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         |
| State reasons:   |
| Combined action of two players who attempted to legally bring the ball carrier to the ground.        |
| Nature of actions  |
| As described above.  |
| Existence of provocation:  |
| n/a  |
| Whether player retaliated:   |
| n/a  |
| Self-defence:  |
| n/a  |
| Effect on victim:  |
| None.  |
| Effect on match:   |
| None.  |
| Vulnerability of victim:   |
| Vulnerable as having limited options to protect herself.   |
| Level of participation / premeditation:  |
| Full participation no premeditation.   |
| 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"/> | [6]   | <input type="checkbox"/> | [XX]  | <input type="checkbox"/> | [XX]  |

**Reasons for selecting entry point:**

There are no features/reasons to choose an entry-point above Low-end.

**Relevant off-field mitigating factors**

*As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby*

| <b>Acknowledgement of guilt and timing:</b>   | <b>Player's disciplinary record / good character:</b>  |
|---|--|
| The Player accepted commission of the act of foul play but not the red card threshold.                    | One RC for dissenting a referee decision in the Hungarian junior championship more than 4 years ago. |
| <b>Youth and inexperience of player:</b>  | <b>Conduct prior to and at hearing:</b>  |
| The Player is 19 years old and this is her first international tournament.                                | Excellent.   |
| <b>Remorse and timing of Remorse</b>  | <b>Other off-field mitigation:</b>   |
| She apologised to the Swiss player after the match. She also demonstrated genuine remorse at the hearing. |  |

**Number of weeks deducted: [4]****Summary of reason for number of weeks deducted:**

The previous RC was received when the Player was a junior, a long time ago, shortly after she started playing and at a time when she was likely not fully aware of the spirit and values of the Game of Rugby and for a different type of offence. Accordingly, this would not count for the purpose of mitigation. Therefore, the Player meets every criterion to be awarded a maximum reduction by way of mitigation.

Normally, the maximum discount available to the JO is 50% of the entry point. However, in rare cases, the JO may apply the provisions of article 17.9.3 from WR Regulation 17 (or equivalent sub-paragraph of 4.5.3. from RE Disciplinary Regulations):

*In cases involving offending that has been classified pursuant to Regulation 17.18.1 as lower end offending, where:*

*(a) there are off-field mitigating factors; and*

*(b) where the Disciplinary Committee or Judicial Officer considers that the sanction would be wholly disproportionate to the level and type of offending involved;*

*the Disciplinary Committee or Judicial Officer may apply sanctions less than 50% of the lower end entry sanctions specified in Appendix 1 including in appropriate cases no sanction.*

Indeed, the JO considers that, in the particular circumstances of this case, where a significant part of the fault rests on another player, applying a 50% reduction would result in a sanction wholly disproportionate to the level and type of offending involved and as such decides to apply a 66.66% discount (4 matches) that reduces the entry point to a final sanction of 2 matches suspension.

**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: [XX]**

**Summary of reason for number of weeks added:**

## 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)

|  |   |
|--|---|
| <b>Total sanction:</b> 2 week suspension translated into 2 matches of 7s.                | <input type="checkbox"/> Sending off sufficient |
| <b>Sanction commences:</b> Immediately.  |   |
| <b>Sanction concludes:</b> After the 4 <sup>th</sup> match of Hungary in the tournament. |   |
| <b>Matches/ tournaments included in sanction:</b><br>Romania – Hungary<br>QF match       |   |
| <b>Costs:</b> n/a  |   |

| Signature  |
|--|
| Name of the JO or Chairman: Valeriu Toma   |
| Date: 15 June 2024   |
| Signature (JO or Chairman):<br> |

**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)