

DECISION FORM



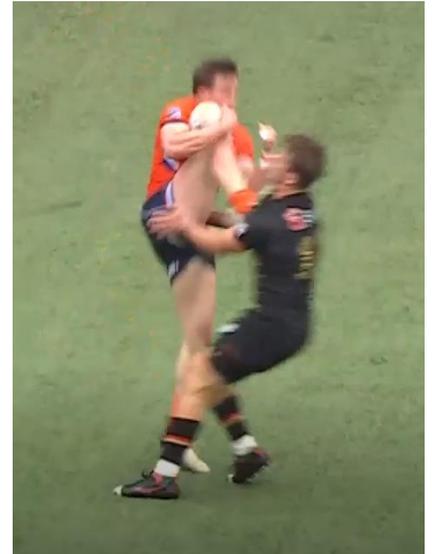
Particulars of offence	
Player's Name: Siem NOORMAN	
Player's number: 11	
Player's union: Netherlands	
Competition: Rugby Europe Men's Championship	
Host Team (T1): Netherlands	Visiting Team (T2): Germany
Venue: Stade Jean-Bouin	
Date of match: 17/03/2024	
Rules to apply: Regulation 17 World Rugby Handbook	
Referee Name: Paulo Duarte (POR)	
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: Gert-Mark Smelt	
Other Members of the Disciplinary Panel: - Palemia Field - Bogdan Zebega	
Hearing date: 21/03/24	
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. Notice of Hearing. 5. Player's replies to directions.	
Summary of essential elements of citing / Referee's report / Incident footage	
<p>The Citing Commissioner reports:</p> <p><i>After a ruck on the 10 meters line of Germany, the scrum half of the German team kicked the ball into the opponent's ground for approximately 25 meters. Dutch player number 11 jumped to catch the ball and, after catching it by extending his right leg, he hit the approaching opponent number 12 with a kick in the upper left part of the chest. The contact was violent and dangerous although without any particular consequences for the German player who after a medical assistance on the ground could restart to play. Clear foul play.</i></p> <p>The footage shows the Player going up to catch the ball, with GER12 approaching. After having caught the ball with both arms, his right leg moves forwards. It does so discernibly after the initial movement (see insertion I), as a sort of 'flick up'. His foot makes contact with chest of GER12 (see insertion II). After contact the leg folds in towards the body of the Player, bending at the knee. The knee ends up at chest height (see insertion III).</p>	



I. (before 'flick up')



II. (moment of contact)



III. (after first contact)

The foot slides of the body of GER12, the Player goes to ground. GER12 grabs his high chest. While play continues he gets on-field assistance, most probably medical.

The Game Sheet shows GER12 has not left the field at any stage of the match.

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

Although requested no medical statement was received.

Summary of player's evidence

The Player admits foul play. He however contests it warranting a red card.

He states that he jumped to catch the ball and that every jump is different. In this case he lifted his right leg in the jump, but just after having caught the ball he felt he was losing his balance. To counter that he lifted his leg further. After noticing he made contact with the German player he stopped the attempt to rebalance and tried to minimise the effect of the contact. In all, he was trying to make a good and safe landing possible and had no intention to hold off or to injure the German player. The Player pointed the Panel to the disciplinary case against Jordie Barrett (New Zealand – Australia, Bledisloe Cup, 2021).

Findings of fact

To warrant a Citing the offence has to meet the Red Card Test. The Disciplinary Panel has to determine whether the offence is a) an act of foul play b) that should have resulted in the Player being Ordered Off (Red Card Threshold) or not.

The issued Citing implies that the Citing Commissioner found that the offence met criteria a) and b).

The Disciplinary Panel shall not make a finding contrary to the Citing unless it is satisfied, on the balance of probabilities, that the Citing Commissioner was wrong. Under Regulation 17 the burden of proof is on the Player.

Foul play

There is no doubt that, as admitted, the offence was an act of foul play. The Panel finds the remark of the Citing Commissioner that it was 'clear foul play' in no way an exaggeration.

Red Card Threshold

Each case turns on its own precise facts. This case and the Barrett case cannot easily be equated. Each case, each offence has to be judged on its own merits.

Although the place on the body where the foot made contact makes a heavy and painful impact on the victim probable, the Panel did not see any proof supporting a finding of head or neck contact.

And although the statement about regaining balance by extending the leg is not readily explained by basic physics and mechanics, the footage shows that from the moment contact was made the leg did not extend. On the contrary, it folded backwards. There is no indication of any kicking or pushing force towards GER12 after that contact, nor did GER12 fall backwards or to the ground. These findings support the statement of the Player that he tried to minimise the effect of the contact. In so far they also go against intent.

These two findings together lead the Panel to the conclusion that the offence, although foul play, was not of that seriousness that it should have resulted in a Red Card. Since the offence did not warrant the Player being cited, the Citing cannot stand. The proceedings end with a decision of not proven.

The Panel wishes to emphasize that a Citing Commissioners Warning (CCW) would certainly have been justified, as would a Yellow Card on field. The Panel however lacks the authority to issue a CCW itself. No further sanction can be imposed on the Player (Article 17.16.3, Regulation 17) .

Decision

Proven Not proven Other disposal (please state)

The Panel shall expunge the Citing from the Player's disciplinary record.

Signature

Name of the JO or Chairman: Gert-Mark Smelt

Date: 21 March 2024

Signature (JO or Chairman):



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)