

DECISION FORM



Particulars of offence	
Player's Name: Tomas DVORAK	
Player's number: 8	
Player's union: Czech Republic	
Competition: U20 Championship	
Host Team (T1): Czech Republic	Visiting Team (T2): Switzerland
Venue: Marketa Rugby Stadium, Prague	
Date of match: 19/11/23	
Rules to apply: Regulation 17 World Rugby Handbook	
Referee Name: Eugeniu PROCOPI – Moldova	
Plea: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	
Offence: <input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other <i>If "Other" selected, please specify:</i>	
Hearing details	
Chairperson: Gert-Mark Smelt	
Other Members of the Disciplinary Panel: - Palemia Field - Bogdan Zebega	
Hearing date: 30/11/2023	
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): Ms. Š. Žižková	
Other attendees: n/a	
List of documents/ materials considered by the Panel: 1. Red Card report, including AR report 2. Game Sheet 3. Video clip of the incident 4. Disciplinary statement 5. Playing schedule 6. Disciplinary record	
Summary of essential elements of citing / Referee's report / Incident footage	
<p>The incident was reported to the referee by one of the assistant referees, after which the player was sent off. The AR states in his written report that the Player headbutted an opponent into his head recklessly.</p> <p>The footage shows the Player ending up on the ground after a ruck. When he is up gets face to face with an Opponent, who has both arms wide in a provocative way. The two players are close, just tens of centimetres. The Player gives the Opponent a headbutt. The Opponent pushes him back. Play continues.</p>	
Essential elements of other evidence (e.g. medical reports)	
There is no mention in the Referee's or AR's report of any effect on the Opponent, nor was any information about injury or otherwise received, although requested.	

Summary of player's evidence

The Player admits the headbutt to the head. He also admits it being foul play, warranting a red card.

In the disciplinary statement the Player emphasizes that the contact was at low speed and without significant force. He also points to the behaviour of the Opponent before the incident (pulling the Player off the ruck onto his head) and to general provocative actions of the Opponent.

Findings of fact

The panel finds that the Player struck the Opponent with his head. It was a strike to the head (headbutt). It was foul play (law 9.12) and reaches the red card threshold.

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:

Intentional/deliberate Reckless

Reasons for finding as to intent:

A headbutt is by its nature deliberate.

Nature of actions

A headbutt to the head is an act of aggression.

Existence of provocation:

Some minor provocation existed.

Whether player retaliated:

The Player reacted to the provocation.

Self-defence:

N/a

Effect on victim:

No discernible effect.

Effect on match:

None.

Vulnerability of victim:

The head is a vulnerable part of the body.

Level of participation / premeditation:

The Player acted on his own and impulsively. 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"/>		<input type="checkbox"/>	
Reasons for selecting entry point:					
Although there was contact to the head, 9.12 striking with the head does not carry a mandatory mid range entry point, since the relevant entry points reflect the specific nature of the foul play (Footnote 5, Sanction table). There is no reason to apply another entry point.					

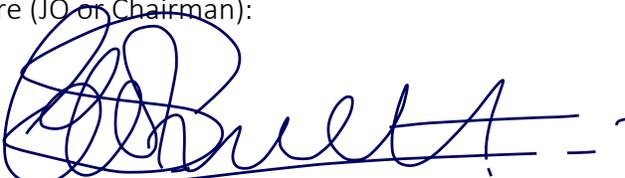
Relevant off-field mitigating factors	
<i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>	
Acknowledgement of guilt and timing:	Player's disciplinary record / good character:
The Player admitted the foul play (and that it warranted the sending off) at the first possible moment.	The Player has no disciplinary record. The Union Representative emphasized he is considered a good captain of his team. If his studies and training at this level leaves him time, he tries to help out at under age training.
Youth and inexperience of player:	Conduct prior to and at hearing:
Although the player is relatively young (20 years at the time of the incident), the level of experience is not relevant for this particular offence. (In)experience does not weigh in his favour.	Exemplary. He presented himself well, was respectful throughout the hearing and remained serious even when the Union Representative had significant problems connecting.
Remorse and timing of Remorse	Other off-field mitigation:
He approached the Opponent after the match, said sorry and they shook hands.	N/a
Number of weeks deducted: 3	
Summary of reason for number of weeks deducted:	
The Panel finds the maximum deduction applies for reasons mentioned above.	

Additional relevant off-field aggravating factors
<i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>
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: none
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: 3 weeks	<input type="checkbox"/> Sending off sufficient
Sanction commences: with the sending off (provisional suspension)	
Sanction concludes: 11 December 2023	
Matches/ tournaments included in sanction: 26 November 2023, 3 December 2023, 9 December 2023, all Čechami vs Moravané.	
Costs: N/a	

Signature
Name of the JO or Chairman: Gert-Mark Smelt
Date: 30-11-2023
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)