



DECISION FORM (FIRST INSTANCE)

PARTICULARS OF OFFENCE			
Player's Name	Arturs Skutans		
Player's Union	Latvia		
Match	Latvia v Turkey		
Competition	RE U18 7s Trophy		
Date of match	25 July 2021		
Match Venue	Stadium Daugava		
Rules to apply	Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program;		
Referee Name	NA	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	9.20 Dangerous play in a ruck or maul. A player must not make contact with an opponent above the line of the shoulders.	<input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	25 July 2021	Hearing venue	Stadium Daugava
Chairperson/JO	Karlis Sarkans, Judicial Officer of the tournament		
Other Members of the Disciplinary Panel	NA		
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)	Toms Asejevs (team manager)	Other attendees	
List of documents / materials provided to Player in advance of hearing	<ul style="list-style-type: none"> - Citing Commissioner Report - Video Clip of the incident 		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p>The Player has a clear unimpeded view of the ruck with both the ball carrier and support player.</p> <p>The Player chooses to enter the ruck from an onside position from one meter to clear GREEN #4. In doing so, he makes direct contact to the right side of GREEN #4's head with force. No other player from his team is involved and a clear line of site is available.</p>

GREEN #4 appears to be immediately in distress and goes to ground while clutching his head. Turkish medical staff attended immediately to the injured player. He was immediately and permanently removed from play. He took no further part in the match.

After review by the tournament doctor, the player will take no further part in the tournament under the concussion protocols.

The Player, entered the ruck area and made dangerous, forceful contact with his shoulder on the head of an opponent who was in the ruck - which was avoidable. This posed a significant risk to the safety of the player and constitutes dangerous play.

As a result of reviewing the video angles, and interviewing The Player and the Injured Player, Citing Commissioner considers that The player, charged into the ruck and made contact with his opponent, above the line of the shoulders.

The citing report is an accurate description of the incident.

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

There is no written report from medics, but JO had conversation with Tournament Medical Manager – Raivis Gabranovs who was helping to Injured Player. He said that he also provided medical attendance to Injured Player. Run the HIA protocol (Head Injury Assessment), in summary Injured Player could answer on questions and pass the HIA protocol.

But due to safety of player - he has been removed from field of play immediately and permanently - substitute as HIA injury (such player can not return on field of play and play in tournament).

As safety measurement for the Injured Player – team Turkey managers has been instructed that player need to have “soft regime” and observe state of players health.

SUMMARY OF PLAYER’S EVIDENCE

At the beginning of the hearing The Player did not admitted foul play and could not answer what he could do different to avoid such result (shoulder to head contact). He said that he just made regular entering in ruck to clear ball carrier supporting player. That shoulder to head contact was accident and not on purpose, without intent.

After several video footage review and explanations to The Player he admitted being guilty in foul play and consequences (citing). The Player accepted that from video it can be clearly seen that after detaching from opponent he had possibility to choose the way he enters and clears ball carrier supporting player. And on repeated question “what he could do different to avoid such result” The Player answered that he would try to choose different type of clearance – either tried to go lower (under players shoulders), or over player to try remove him of possession over ball.

The Player showed remorse and Team Manager confirmed, that after the game when Latvia team received information about citing, they went together to the Turkey team and The Player apologised to Injured Player and handshake was made.

The player is playing rugby for 7 years from 10 years age (excluding last 1,5 year due to Covid-19 pandemics). This is his first such level tournament – previously he has played in national youth championship.

During the hearing the player behaviour was very good and respectful. His disciplinary record is good.

FINDINGS OF FACT

After reviewing all evidence (video and Citing Commissioner Report) JO opinion is that the player committed an offense contrary to law 9.20 (b).

The offence was a highly reckless because The Player had a clear line of sight and time, but he did not attempt to change height and there was no sudden/significant drop in height or change in direction from opponent. As result there was dangerous and direct contact to the opponent head. The speed appearing not to be extremely high, however sufficient to justify a serious degree of danger.

The Player agreed on incident (foul play and 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		
The JO accepted this was not an intentional or targeted action – to hit the opponents head, but The Player chooses wrong height and performs deliberate entering in the ruck to clear the support player.		
Gravity of player’s actions		
Player made direct shoulder contact with opponents head with force. That is potentially a dangerously grave offence.		
Nature of actions		
Direct shoulder contact with opponents head with force.		
Existence of provocation		
N/A		
Whether player retaliated		
N/A		
Self-defence		
N/A		
Effect on victim		
GREEN #4 appears to be immediately in distress and goes to ground while clutching his head. Turkish medical staff attended immediately to the injured player. He was immediately and permanently removed from play. He took no further part in the match. After review by the tournament doctor, the player was removed also for taking part in the further tournament under the concussion protocols.		
Effect on match		
GREEN #4 was removed from play		
Vulnerability of victim		
GREEN #4 head/neck area were in vulnerable position - in front as for support player over ball carrier with both hands down and he had no possibility to defend himself from the dangerous type of contact.		
Level of participation/premeditation		
No intention but highly reckless act of foul play due to low technique.		
Conduct completed/attempted		
Completed		
Other features of player’s conduct		
Apology and remorse		
Entry point		
<input checked="" type="checkbox"/> Top end 6 Weeks	<input type="checkbox"/> Mid-range [XX] Weeks	<input type="checkbox"/> Low-end [XX] 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		

The case description and evidence lead to Top end sanction – highly reckless, dangerous direct contact to the opponent head, as result opponent player has been injured, removed from play and tournament. Continues to be under medical supervision and is recommended rest and discontinuation of physical activity for couple of days.
 However, in tournament time when had discussions with Tournament Director Mario Costa, he pointed that if we make decision, we need to consider that these are first such level competitions for these boys in two years because of Covid-19 impact and that there is one year lost in possible experience gain and continuity for all U18 age group.
 Taking into account this – Top end initial sanction 6 matches would be sufficient.

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	
No	
Need for deterrence	
No	
Any other off-field aggravating factors	
None	

Number of additional weeks: 0

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
After watching the footage and explanation The Player admit guilt and took responsibility for his actions.	Clean record
Youth and inexperience of player	Conduct prior to and at hearing
7 years in rugby (from 10-year age) but must exclude 1,5 year of Covid-19. Most experience is in U15 so player is inexperienced.	The Player had shown good conduct throughout the disciplinary process and at the hearing.
Remorse and timing of remorse	Other off-field mitigation
Remorse and claims that with Team Manager went and have apologized to the injured player after the match (when received information about citing).	No

Number of weeks deducted: **3 matches in 7s (bearing in mind that 1 week suspension in 15s’ equals 1 match suspension in 7s’)**

Summary of reason for number of weeks deducted:
Taking in account all evidence: <ul style="list-style-type: none"> - Players experience (young and inexperienced) and that such tournament for him was first time.

- Interruption of rugby trainings and competitions due to Covid-19 pandemics.
- Admit guilt and took responsibility for his actions - have apologized to the injured player

Additional – the player was cited after quarter-final (before semi-final), so this means he will not be able to help his team in medal finals.

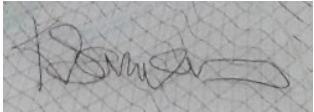
The JO is convinced that 50% deduction (maximum possible reduction) is appropriate for this case.

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 Matches in 7s	<input type="checkbox"/> Sending off sufficient
Sanction commences	25.07.2021	
Sanction concludes	This is to be determined. No evidence was available at the hearing as to the Player's playing schedule. 2 Matches left for team Latvia in RE U18 7s Trophy – so one Match must be missed in Latvian national U18 championship.	
Matches/tournaments included in sanction	2 Matches for team Latvia in RE U18 7s Trophy (25.07.2021) : <ul style="list-style-type: none"> - Semi-final Latvia vs Ukraine - Final/or 3rd place final (Latvia participated in 3rd place final vs Luxembourg) 1 Match in Latvian national U18 championship.	

Costs	0
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Date	
Signature (JO or Chairman)	Karlis Sarkans 

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)