



DECISION FORM

PARTICULARS OF OFFENCE			
Player's Name	Alexandre Jonathan Cretu		
Player's Union	FRR (Romania Rugby Union)		
Match	Wales v Romania		
Competition	Men's 7'S RWCQ		
Date of match	16-07-2022		
Match Venue	Arcul de Triunf Stadium – Bucharest		
Rules to apply	Regulation 17 World Rugby Handbook;		
Referee Name	George Selwood	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	9.13 – A player must not tackle an opponent early, late or dangerously.	<input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	[16-07-2022	Hearing venue	Arcul Triunf Stadium
Chairperson/JO	Marcello d'Orey		
Other Members of the Disciplinary Panel			
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)		Other attendees	Val Toma and Andre Zamfirescu – JO liaison
List of documents / materials provided to Player in advance of hearing	The player was presented before the hearing started by the JO with the following documents and material: <ul style="list-style-type: none"> - Video images of the incident. - Referee's Report on the sending off - Audio of the interview with the Welsh physiotherapist regarding the Welsh player number 2, that was dangerously tackled. - Notice of hearing - Match Sheet 		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p>- The referee's report stated that:</p> <p>With the clock at 04:10 minutes in the First Half of the Game between Wales and Romania, for the Men's 7'S RWCQ 2022, in Bucharest, Romania n.º 8, executed a dangerous tackle on Wales n. 2. There was head to head contact, high degree of danger and no mitigation.</p>

- The video images show clearly the incident.

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

The physiotherapist audio informed that the Welsh player number 2 was concussed and is out of the tournament.

SUMMARY OF PLAYER'S EVIDENCE

The player accepted that he committed an act of foul play, and that it was worth a red card. He stated that he didn't intend or pretend to tackle dangerously, but that he was reckless. He accepted that there was a head contact, but think that it was indirect. He was sorry and remorseful for that. He immediately stop playing and called for the referee to indicate that the Welsh player was hurt in the incident. He apologized to the Wales player after the game and asked him how he was. He knows that his technique was poor. It was never his intention to do so.

The player is young and had an unblemished disciplinary record.

FINDINGS OF FACT

No preliminary points arose.

The Player accepted that he was the Player involved in the alleged foul play.

The standard of proof for all matters under this Regulation 17 shall be on the balance of probabilities.

At first instance disciplinary hearings, in the event that the Player does not accept that the act(s) of Foul Play which is the subject of the disciplinary hearing warranted the Player being Ordered Off or cited, the burden of proof rests on the Player to show that the referee/citing commissioner was wrong.

There was little dispute as to the facts as displayed in the video recording and as described by the Referee's Report.

In any event it was submitted that the player accepted that there was a foul play, and that it was worth a red card.

Therefore, the Judicial Officer was required to consider what further action should be taken as a result of the player being shown a Red Card by the referee in respect of a contravention of law 9.13.

The Judicial Officer found, on the balance of probabilities, that the Romanian n8 executed a dangerous tackle on Wales n.2, and that there was head to head contact between both players, resulting in a concussion in the Welsh Player.

The level of danger was high.

The images of the incident were clear and show the whole incident.

The player accepted that there was foul play which merited a red card, and therefore the Red Card decision was upheld.

Any act of foul play which result in contact with the head and/or the neck shall result in at least a mid-range sanction.

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		
There was no evidence that the player wanted to tackle dangerously Wales n.2, and that he intended to make contact head to head with Wales n. 2 intentionally. This action was reckless and it carried the very clear risk that there would be a dangerously Tackle and that head would hit the Wales n.2 head with force, as it did, Whilst the Judicial Officer accepted the player had not intended to tackle dangerously, he had acted in a highly dangerous manner in relation to the risk of injury and in relation to potential to cause injury.		
Gravity of player's actions		
Both players were in full speed, there was a head to head contact and Wales n.2 was concussed in the incident.		
Nature of actions		
Dangerous Tackling		
Existence of provocation		
No Provocation		
Whether player retaliated		
No retaliation		
Self-defence		
No Self defence		
Effect on victim		
Wales n.2 was injured, with a concussion and will miss at least the rest of the games in the tournament.		
Effect on match		
No consequence		
Vulnerability of victim		
Medium. Wales n.2 was at full speed and was not expecting to be hit in the head, although he saw the Romania player coming to him.		
Level of participation/premeditation		
No premeditation found		
Conduct completed/attempted		
Conduct completed		
Other features of player's conduct		
None		
Entry point		
<input type="checkbox"/> Top end [XX] Weeks	<input checked="" type="checkbox"/> Mid-range [6] 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		

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
The player accepted that there was foul play and that it was worth a red card.	The player have never before been sent off
Youth and inexperience of player	Conduct prior to and at hearing
Yes	Very good
Remorse and timing of remorse	Other off-field mitigation
The player showed remorse and informed that he apologised to the player. It is also clear by the video image that he was calling for the referee immediately after the incident and was careful with the victim.	None

Number of weeks deducted: [3]

Summary of reason for number of weeks deducted:
The player accepted that he had committed an act of foul play, he apologised to the Wales player immediately after the match and indicated that he had no intention to cause an injury and conducted himself in an exemplary manner at the hearing. The player had a clean disciplinary record.

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
None
Need for deterrence
None
Any other off-field aggravating factors
None

Number of additional weeks: [NA]


Summary of reason for number of weeks added:
NA

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/weeks	<input type="checkbox"/> Sending off sufficient
Sanction commences	16-07-2022 – at the conclusion of the hearing	
Sanction concludes	<p>Dependant of the games Romania will still play in the tournament. If they qualify to the quarter finals, the sanction concludes after the quarter final game in 17-07-2022.</p> <p>If Romania doesn't qualify to the quarter final, the last match of the sanction will be dependant of the impending information regarding the player's schedule evidencing his playing commitments for the remainder of season or next, information to be provided by the Romanian Union as soon as possible.</p>	
Matches/tournaments included in sanction	<p>Germany x Romania Georgia x Romania Quarter final/ If Romania doesn't qualify to the quarter final, the last match of the sanction will be dependant of the impending information regarding the player's schedule evidencing his playing commitments for the remainder of season or next, information to be provided by the Romanian Union as soon as possible.</p>	

Costs	None
--------------	------

Date	16-07-2022
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)