



DECISION FORM (FIRST INSTANCE)

PARTICULARS OF OFFENCE			
Player's Name	Bogdan Florin Iacovache		
Player's Union	Romania Rugby Union		
Match	Romania v Russia		
Competition	Rugby Europe U20 Championship		
Date of match	07/11/2021		
Match Venue	Em Taveiro		
Rules to apply	Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program;		
Referee Name	Shota TEVZADZE	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	9.17 A player must not tackle, charge pull, push or grasp an opponent whose feet are off the ground.	<input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	9/11/2021	Hearing venue	Microsoft Teams
Chairperson	Martin Picton		
Other Members of the Disciplinary Panel	Richard Mc'Ghee Valeriu Toma		
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)	Marius Tincu [coach] Ovidiu Carcei [manager]	Other attendees	
List of documents / materials provided to Player in advance of hearing	1. Notice of Disciplinary Hearing 2. Citing Commissioner Report 3. Game sheet 4. Disciplinary Statement General Secretary Romanian Rugby Union 5. Video footage of the incident		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p>The citing commissioner (Alberto Recaldini) recorded in his report an incident that took place 12' 41" into extra time in the following terms:</p> <p>"In the last action of the first half of extra time, in open play, the Russian team was playing an advantage for penalty (Romanian player not on his feet in ruck). Russian player number 10 kicked the ball for his wing number 23. This player jumped to catch the ball but was tackled in the air from the opponent number 22 (Iacovache Bogdan Florin). Romanian player did not try to contest the</p>

ball, he hit directly with violence the legs of the jumping Russian player who rotated in the air and landed on his front and face. Referee after consulted his Assistant decided for a yellow card against Romanian player. Russian player needed a little medical assistance on the pitch and returned to play. For the reasons above: high grade of dangerous, reckless tackle, no possibility to contest the ball, I think this foul play is in red card zone and I decide to cite Romanian player number 22.”

The video footage confirmed the description of the incident as above.

A disciplinary statement filed on behalf of the player in advance of the hearing recorded his account of the incident in the following terms:

- (1) At the end of the second half of extra time, I saw the Russian player with the number 23 preparing to receive a kick at the edge of the field.
- (2) Being relatively far from that area, I started to run at speed, following the ball, thus losing sight for a few moments of the opposing player who was standing on the ground, slowing his speed, looking up at the ball.
- (3) The Russian player is to my right shoulder, not directly in front of me to have him in my direct field of view entirely.
- (4) I did try to challenge the ball because compared with Russian player I was running at full speed towards the area where the ball was supposed to land. He was with feet on the ground and didn't seem to intend to jump at first.
- (5) He suddenly jumps at the last moment, to catch. Initially he shows no signs of trying to jump and even slows down his run toward the area where the ball was supposed to land.
- (6) Being surprised by this last moment decision, I did not had time to adjust my running and jump as well. Instinctively I tried to wrap him but I did not had enough time, being surprised by his last moment decision to jump.
- (7) Therefore, I admit that I acted recklessly and that I should have expected a jump, although initially the opponent's movement do not indicate this intention. However, given the nature of the foul play and world rugby head contact process, I consider applicable article four point 4.5.4 para 3 from Rugby Europe Disciplinary Regulation in the sense that the mitigating factors outlined above (sudden change of height, not in my frontal view, slow down of speed) should be taken into consideration if the panel decide to rule a punishment.
- (8) I admit it is an act of foul play which may warrant a red card, given the head contact with the field but it was not my intention to hurt in anyway the Russian player and I hope I didn't cause him any harm.

The statement on behalf of the player concluded with an expression of regret for his actions and the consequences caused thereby.

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

N/A

SUMMARY OF PLAYER'S EVIDENCE

The Player had no objections to the constitution of the panel. The Player and his representatives said that they had received all the material relevant to the hearing, had watched the video footage and did not need that to be played again in the course of the hearing. It was confirmed that the Disciplinary Statement submitted in advance could be

taken into consideration and would be supplemented by way of further submissions which were presented either by the Player or on his behalf.

The Player confirmed that he admitted the offence. He stated that it had never been his intention to commit this error judgment in the manner of his play. He referred to the fact that once he had committed to either trying to catch the ball himself or prevent the opposition player scoring he did not have time to pull out of the tackle. He emphasised that he was surprised by the fact that the Russian player jumped for the ball and suggested that contributed to his mistake. The Player said that he spoke to the Russian player later at the hotel where both teams were staying and apologised to the Russian No.23. He confirmed that the Russian player suffered no ill-effects from the incident. When questioned the Player said he had wanted to challenge for the ball and asserted that he tackled the Russian player when still in the air because he was late in so doing. It was asserted that the event occurred late in a fast paced game when there was a lot at stake. The Player was challenged as to the need to anticipate that the opposition player might jump for a high ball but the Player maintained that he had been surprised by the fact that the Russian No.23 took off in order to try and catch the ball. The Player stated that when the Russian player came down he thought it was his hands that came into contact with the ground first.

FINDINGS OF FACT

This is the reasoned decision of the Panel. Each member contributed to it and it represents our unanimous conclusions. It is reached after due consideration of all the evidence, submissions and the other material placed before us.

The Player did contravene Regulation 9.17 by tackling Russian No.23 when his feet were off the ground resulting in that player coming down with some force in what was a dangerous manner. Although the footage was to a degree unclear the panel noted that the Player accepted in his written submissions that the face of the Russian No.23 came into contact with the ground on impact, although we took account of the Player's assertion that the Russian player was also able to take some of the impact on his hands. The Player was reckless in tackling in the way that he did and should have anticipated that the Russian player would jump for the ball. Had the Player exercised a proper level of care he could have avoided making contact in the manner that the video footage records him as doing. It is of note that the Player's actions prevented a try being scored when there was a real chance that one might have been, although it is also the case that in the event Russia won the match. We do accept that the Player's effort at making the tackle was reckless rather than intentional and that the time the Player had to consider his actions, in the context of a fast moving passage of play, was limited. On the basis of footage, the Player's admission and the reaction of the Russian player after the tackle we are satisfied on the balance of probabilities that the Russian players face/upper body impacted with the ground on landing although he may have been able to partially break his fall. The Player's actions did, however, merit a red rather than a yellow card.

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		
See above.		
Gravity of player’s actions		
There was the potential for serious injury to result. The Russian players face/upper body impacted with the ground.		
Nature of actions		
Reckless tackle of a player whose feet were off the ground and who was thus in a vulnerable situation.		
Existence of provocation		
N/A		
Whether player retaliated		
N/A		
Self-defence		
N/A		
Effect on victim		
The available evidence does not reveal any significant injury resulting but the Russian No.23 was treated on the ground following the tackle and did not get up straight away. We were told that the Russian player reported no ill-effects after the game.		
Effect on match		
The tackle brought to an end a movement that had try scoring potential. In the event the Russian team came out the winners of the match notwithstanding the loss of this opportunity.		
Vulnerability of victim		
Feet off the ground.		
Level of participation/premeditation		
There did not appear to be any premeditation.		
Conduct completed/attempted		
Completed.		
Other features of player’s conduct		
N/A		
Entry point		
<input type="checkbox"/> Top end [XX] Weeks	<input checked="" type="checkbox"/> Mid-range [8] 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		
N/A		

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:
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
Admission of guilt in advance of hearing.	Not previously sent off or subject to disciplinary process.
Youth and inexperience of player	Conduct prior to and at hearing
Aged 20 and playing at U20 level.	Exemplary.
Remorse and timing of remorse	Other off-field mitigation
Accepted as being sincere.	N/A

Number of weeks deducted: [4]

Summary of reason for number of weeks deducted:
The tackle was reckless rather than intentional. In the event the Russian player escaped injury. The Russian player was able to break his fall to a degree. The incident occurred in a high intensity game and at a crucial point when making judgments is more difficult than may otherwise be the case. The charge was admitted and the Player exhibited genuine remorse. The conduct of the Player and his representatives both before and during the hearing was exemplary.

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	4 weeks	<input type="checkbox"/> Sending off sufficient
Sanction commences	9/11/21	
Sanction concludes	TBC	
Matches/tournaments included in sanction	<ul style="list-style-type: none"> • U20 Championship - Romania v Czechia 10/11/21 • U20 Championship - Match Day 3 - 13/11/21 • Two other meaningful fixtures details of which to be provided for approval in the next 28 days. 	

Costs	
--------------	--

Date	09/11/21
Signature (JO or Chairman)	<i>M Picton</i>

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)