



## DECISION FORM

| PARTICULARS OF OFFENCE     |  |   |
|----------------------------|--|---|
| <b>Player's Name</b>       | Antonio Maltez   |   |
| <b>Player's Union/club</b> | Portugal   |   |
| <b>Match</b>               | Portugal v Belgium   |   |
| <b>Competition</b>         | Rugby Europe U20 Championship                                      |   |
| <b>Date of match</b>       | 13/11/2022   |   |
| <b>Match Venue</b>         | Car Jamor Stadium, Lisbon, Portugal                                |   |
| <b>Rules to apply</b>      | Regulation 17 World Rugby Handbook;                                |   |
| <b>Referee Name</b>        | Franco Rosella   | <b>Plea Charge</b>  |
| <b>Offence</b>             | 9.12<br>Punching or striking with the hand, arm, elbow or shoulder | <input type="checkbox"/> Red card<br><input checked="" type="checkbox"/> Citing<br><input type="checkbox"/> Other<br>If "Other" selected, please specify: |

| HEARING DETAILS   |  |  |
|---|--|--|
| <b>Hearing date</b>   | 15/11/2022   | <b>Hearing venue:</b> On remote  |
| <b>Chairperson/JO</b>   | Jennifer Donovan   |  |
| <b>Other Members of the Disciplinary Panel</b>                                | Michiel van Dijk<br>Rose Alice Murphy  |  |
| <b>Appearance Player</b>  | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No                                | <b>Appearance Union:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| <b>Player's Representative(s)</b>   | Jose Carlos Augusto (Lawyer)<br>Francisco Martins, FPR Vice President<br>Nuno Filipe, Team Manager | <b>Other attendees</b><br><br>David Baird- Smith, Rugby Europe                               |
| <b>List of documents / materials provided to Player in advance of hearing</b> | 1. Citing commissioner report<br>2. Game sheet<br>3. Video Clip<br>4. Notice of Hearing            |  |

| SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE   |  |
|---|--|
| <p>The Citing Commissioner, Dana Sue Teagarden, reported that an incident involving several players occurred in the 71<sup>st</sup> minute of the match. A number of players congregated and were involved in pushing and pulling opponents. The CC reported that in the course of this incident the player threw a punch with his right hand which connected with the left side of the Belgian No.19's ("BEL19") head. The report indicated that the point of contact was visible on the camera angle but would not have been visible to the referee, given his position. The player was given a yellow card as was an opposition player, BEL 13, for shoving an opponent.</p> |  |

BEL19 was interviewed briefly after the match. He confirmed that contact was made in the vicinity of his left ear but that he did not require medical treatment.

The Citing Commissioner also cited the player for a breach of Law 9.28 for continuing to play after the whistle.

The match footage showed the initial incident in which a large number of players were involved. Towards the end of that gathering of players, the player can be seen striking BEL19 with his fist, making contact with the left side of BEL19's head as indicated in the report.

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

Nil

#### SUMMARY OF PLAYER'S EVIDENCE

Mr. Martins acted as interpreter for the player. The player admitted foul play but argued that same did not meet the red card threshold. The player said that he was trying to help to break up the larger incident but that BEL19 would not release him. He said that he made a punching action or sign to try to get the other player to cease. He said that he did not intend to punch the other player and the action and direction of movement of his arm was not really indicative of a punch. The player initially indicated that he could not remember where the point of contact was. The player was invited to view the footage a further time. When questioned the player then admitted striking BEL19 and that contact had taken place close to the ear of BEL19. The player admitted that this constituted contact with the head of BEL19.

The player apologised for his actions and said that he had apologies to BEL19 after the match. He accepted that his reaction to what he perceived as provocation was not acceptable.

#### FINDINGS OF FACT

The committee found that the player had committed an act of foul play contrary to Law 9.12. It was found that the player had deliberately struck an opponent with his fist, making contact with the side of the opponent's head. This finding was supported by the match footage. The committee was satisfied, having considered all matters, that the offending met the red card threshold and therefore the citing in respect of that offence was upheld. The committee found that head contact had occurred and that the minimum mandatory entry point of mid-range would apply.

The committee informed the player at the outset of the hearing that it did not intend to hear evidence in respect of the cited breach of Law 9.28 as the committee was of the view that same did not meet the standard necessary to uphold the 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  |   |  |
| <b>Assessment of Intent</b>  |   |  |
| <input checked="" type="checkbox"/> Intentional/deliberate <input type="checkbox"/> Reckless   |   |  |
| <b>State Reasons</b>   |   |  |
| The committee found that the offending was intentional based on the the match footage  |   |  |
| <b>Gravity of player's actions</b>   |   |  |
| Grave in that head contact resulted.   |   |  |
| <b>Nature of actions</b>   |   |  |
| Striking of head with fist albeit without out significant force  |   |  |
| <b>Existence of provocation</b>  |   |  |
| The offence occurred in the midst of a larger incident in which the player did feel provoked   |   |  |
| <b>Whether player retaliated</b>   |   |  |
| The player reacted the goings on in the larger incident.   |   |  |
| <b>Self-defence</b>  |   |  |
| The player indicated that he was trying to extricate himself from the larger incident  |   |  |
| <b>Effect on victim</b>  |   |  |
| Nil  |   |  |
| <b>Effect on match</b>   |   |  |
| Nil  |   |  |
| <b>Vulnerability of victim</b>   |   |  |
| Not particularly vulnerable  |   |  |
| <b>Level of participation/premeditation</b>  |   |  |
| Full participation   |   |  |
| <b>Conduct completed/attempted</b>   |   |  |
| Conduct completed  |   |  |
| <b>Other features of player's conduct</b>  |   |  |
| Nil  |   |  |
| <b>Entry point</b>   |   |  |
| <input type="checkbox"/> Top end Weeks   | <input checked="" type="checkbox"/> Mid-range 6 Weeks | <input type="checkbox"/> Low-end 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. |   |  |
| <b>Reasons for selecting Entry Point above Top End</b>   |   |  |
|  |   |  |

| ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS   |  |  |
|---|--|--|
| As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby |  |  |
| <b>Player's status as an offender of the Laws of the Game</b>                                 |  |  |
| N/a   |  |  |
| <b>Need for deterrence</b>  |  |  |
| N/a   |  |  |
| <b>Any other off-field aggravating factors</b>  |  |  |
| N/a   |  |  |

Number of additional weeks: 0

|   |
|---|
| <b>Summary of reason for number of weeks added:</b> |
| N/A   |

| <b>RELEVANT OFF-FIELD MITIGATING FACTORS</b>  |  |
|---|--|
| As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby |  |
| <b>Acknowledgement of guilt and timing</b>  | <b>Player's disciplinary record/good character</b>   |
| Player acknowledge having committed an act of foul play at the outset of the hearing          | No previous disciplinary issued  |
| <b>Youth and inexperience of player</b>   | <b>Conduct prior to and at hearing</b>   |
| Player is 20 years old and relatively inexperienced.  | Some issues surrounded the player's remote attendance but these were satisfactorily resolved after a time. |
| <b>Remorse and timing of remorse</b>  | <b>Other off-field mitigation</b>  |
| Player apologised to victim player after the match  |  |

Number of weeks deducted: 3

|   |
|---|
| <b>Summary of reason for number of weeks deducted:</b>  |
| The committee considered all of the relevant criteria in respect of sanction and after deliberation, agreed that the maximum 50% reduction should be applied. |

## 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)

|   |   |   |
|---|---|---|
| <b>Total sanction</b>                           | 3 weeks / Matches   | <input type="checkbox"/> Sending off sufficient |
| <b>Sanction commences</b>                       | 13/11/2022  |   |
| <b>Sanction concludes</b>                       | Midnight 15/01/2022   |   |
| <b>Matches/tournaments included in sanction</b> | 27/11/22 Agronomia v Direito<br>10/12/22 Agronomia v Direito<br>14/01/23 Belenenses v Agronomia |   |

|              |     |
|--------------|-----|
| <b>Costs</b> | Nil |
|--------------|-----|

|                  |                  |
|------------------|------------------|
| <b>Date</b>      | 15/11/2022       |
| <b>Signature</b> | Jennifer Donovan |

**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)