

DISCIPLINARY DECISION

PARTICULARS OF OFFENCE			
Player's Name	Theodor Karlsson		
Player's Union	Sweden		
Match	Sweden v Luxembourg		
Competition	RE Men 7s Trophy 2022 – Budapest		
Date of match	19 June 2022		
Match Venue	Budapest Rugby Centre		
Rules to apply	Regulation 17 World Rugby Handbook		
Referee Name	Florin Bonea	Plea	<input checked="" type="checkbox"/> Foul Play admitted <input type="checkbox"/> Foul Play not admitted <input type="checkbox"/> RC/Citing admitted <input checked="" type="checkbox"/> RC/Citing not admitted
Offence	9.18 A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.	<input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	
Summary of Sanction	The red card is extinguished from the Player's record and replaced with a yellow card.		

HEARING DETAILS			
Hearing date	19 June 2022	Hearing venue	Budapest Rugby Centre
Judicial Officer	Valeriu Toma (Romania)		
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)	Richard van den Broel – head coach	Other attendees	Andre Brand (Hungary) – Designated Disciplinary Officer
List of documents / materials provided to Player in advance of hearing	Red card report		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p>1. The Player has been sent-off for an alleged breach of Law 9.18. Although the red card report indicates that the foul play was contrary to Law 9.13, the referee clarified that this was an error caused by the inherent haste of the 7s tournament setup and the correct Law is 9.18. The relevant part of the red card report reads: <i>"Lifting tackle, the player landed on neck on the ground"</i>.</p>

2. The footage was available and viewed by the Judicial Officer. Appendix 1 of this document contains the still sequence of relevance.

3. This is a summary of the footage. In the last minute of the match Luxembourg is attacking close to the half-way line. The Player tackles Lu9 round his thighs and brings him to ground after a slight lift. Lu9 lands on his side and makes the ball available for his teammates. The Player rolls away, gets back on his feet and re-joins his team defending line. The ball is picked up by Lu13 who advances in an attempt to break the Swedish line. The Player lowers his body, grabs hold of the thighs of the ball carrier and lifts him so that his feet are off the ground. At the same time, Sw2 grabs Lu13 with both hands around his upper body from behind and drags him sideways and downwards. Lu13 legs pass above horizontal. The Player keeps hold onto Lu13 thighs and goes to ground with him. While Lu13 is falling, Sw2 loses his grasps on Lu13 body. It appears that Lu13 lands with his upper back first and then on the flat of his back with the Player on top of him. Lu13 remains for a few seconds on the ground then, when his doctor arrives, he gets up quickly and walks away. The referee awards the Player a red card.

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

4. The Disciplinary Officer collected a statement from the victim player, Baptiste Lachaise, who said he didn't feel he was lifted dangerously and only landed on his back. He had no injury from the tackle and was also very surprised to see the RC because as he put it, this is rugby we are playing and this is part of the game. He said he didn't think any sanctions were necessary against the player from his side. Further challenged by the Disciplinary Officer on why he remained down if he wasn't injured, the Player answered that it is 7s rugby, he was already tired by that time and needed a few moments of rest.

SUMMARY OF PLAYER'S EVIDENCE

5. The Player and his representative admitted that the action amounted to foul play against Law 9.18, however they did not admit that the act of foul play merited a red card because, although the execution of the tackle was dynamic, the victim player landed on his back.

6. The clip was played and viewed by all parties during the hearing. The Player explained that he executed two similar tackles in a row. The first one was clean and the ball carrier was brought to the ground with no issue. Then Lu13 picked up the ball and the Player executed the second tackle. His intention was to go together with Lu13 to the ground without tipping him, however he admits that he was reckless in the way he lifted Lu13. He admits that Lu13 landed heavily and at the time he was scared that he might have caused an injury to his opponent.

The Player also admitted that his technique of lifting opponents after grasping their bodies from under the centre of gravity is potentially dangerous and creates a risk of flipping the tackled players over, therefore it is an aspect he must work on.

FINDINGS OF FACT

7. The Judicial Officer reminded himself that findings of fact are to be determined on the balance of probabilities.

8. Regarding the statements of Lu13, the Judicial Officer ignored his opinions and assessed only his evidence of fact. Such evidence by victim players must always be treated cautiously because it is not uncommon that, out of generosity, some players would avoid providing accurate description of the incidents in order not to aggravate the situation of the offenders. Aware of this aspect, the Judicial Officer must test such information against the rest of available evidence of fact.

After careful analysis, the Judicial Officer found that the victim player’s statement related to his landing is consistent with the footage. Whilst the first contact with the ground is at the upper back level, the full landing is on the flat of Lu13’s back. There is no contact at neck or head involved.

After spending a few seconds on the ground, Lu13 can be seen getting up quickly and then continuing play with no signs of any physical issues.

9. The Judicial Officer accepted that, whilst the Player intentionally lifted Lu13 off the ground, he did not deliberately drop or drive him so that his upper body make contact with the ground. However, the Judicial Officer found that:

- The Player grasped Lu13 under his centre of gravity and lifted him;
- In doing so he ran the risk of flipping over the body of Lu13;
- The victim player’s legs went above horizontal;
- The Player did not drop nor he used additional force to “spear” Lu13 into the ground but maintained his grasp throughout;
- Lu13 landed heavily on his back with the Player on top of him;
- The action of Sw2 who grabs Lu13’s upper body and drags it sideways and downwards unbalances the Player, further contributes to the flip over and accelerates the fall of Lu13;
- As the action of Sw2 aggravates the dynamic of the lifting tackle it also constitutes a mitigating factor for the Player’s action.

10. Having regard of the totality of the findings, the Judicial Officer concludes that the red card threshold has not been met and that the appropriate sanction would have been a yellow card. In doing so, the Judicial Officer makes no criticism of referee’s decision. The Judicial Officer has the luxury and time of hearing and considering the totality of all the evidence, including footage and the evidence of the players. The referee had to take his decision on the field of play based on what he saw in a split second. He did not have the opportunity or means to review the incident.

DECISION


Breach admitted Proven Not proven Other disposal (please state)

11. The red card will be extinguished from the Player's record and replaced with a yellow card.

SANCTION

Total sanction	The red card is extinguished from the Player's record and replaced with a yellow card	<input type="checkbox"/> Sending off sufficient
Sanction commences		
Sanction concludes		
Matches/tournaments included in sanction		

Costs	n/a
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Date	21 June 2022
JO Signature	

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)



Appendix 1 – Still sequence of the incident.



















