



DECISION FORM

PARTICULARS OF OFFENCE			
Player's Name	Ike Irusta Salles		
Player's Union	Spain Rugby Union		
Match	Spain v Netherlands		
Competition	Rugby Europe U20 Championship		
Date of match	10/11/2021		
Match Venue	Em Taveiro		
Rules to apply	Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program;		
Referee Name	Jonny Perriam	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted
Offence	9.12 Physical abuse	<input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	

HEARING DETAILS			
Hearing date	November 12 th , 2021	Hearing venue	Microsoft Teams
Chairperson/JO	Matthew O'Grady		
Other Members of the Disciplinary Panel	Maryia Zhurova Irina Petre		
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	
List of documents / materials provided to Player in advance of hearing	Incident footage Referee report		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p>The alleged foul play was observed by the Assistant Referee and reported by him to the Referee. In its relevant parts the Referee report states:</p> <p>'He told me he had seen Red (Spain) 9 clearly punch a player, with a closed fist, in the face'</p> <p>The Assistant Referee report stated in its relevant parts:</p> <p>'I saw 9 Red (Spain) punch an opposition player in the head. The opposition player was on the ground.'</p>

We viewed the incident footage, which showed a dynamic tackle incident.

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

None provided.

SUMMARY OF PLAYER'S EVIDENCE

The Player denied he committed an act of foul play. He stated that he was part of a fast moving situation in which he was swung around by his shirt. He lost his balance and fell. The Player said he did not have a clenched fist. He had an open palm to break his fall. He accepted his open hand connected with the opposition player, but said at the time that happened his feet were off the ground. He could not be sure where his hand connected with the opposition player and conceded he may have been to the neck. He denied the action could be said to be intentional or reckless.

FINDINGS OF FACT

The Panel reminded itself that the Player carried the burden of proving the match official were wrong to send him off.

The Panel carefully viewed the footage provided several times. The Panel had the benefit of slowing down and freezing the images.

We concluded on the balance of probabilities that the Player did not commit an act of foul play and that the match officials were wrong to send off the Player. Our findings are not a criticism of the match officials. The Assistant Referee had only one chance to see what occurred in front of him. He did not have the benefit of slowing down the fast piece of play or reviewing it like we did.

1. The Player's shirt was pulled by a Netherlands player. The Player was pulled backwards in a turning motion.



2. As the Player was being pulled (legally, we note), a second Netherlands player tackled the Players in a different direction to the motion of the existing tackle.



3. That second Netherlands tackler span the Player around, whilst he was still being pulled by the first Netherlands tackler.

4. The second Netherlands tackler fell to ground and pulled the Player with him. The Player's left arm went backward in a natural balancing motion. The Player's left hand was open not clenched.



5. There was an acceleration of the Player's arm downwards as he was tackled.

6. The Player's left hand contacted with the side/back of the second Netherlands tackler's head. The contact was with an open hand. At the time the contact was made the Player was unbalanced and his feet were not on the ground.





7. The action was not foul play.

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 type="checkbox"/> Reckless		
State Reasons		
N/A		
Gravity of player's actions		
N/A		
Nature of actions		
N/A		
Existence of provocation		
N/A		
Whether player retaliated		
N/A		
Self-defence		
N/A		
Effect on victim		
N/A		
Effect on match		
N/A		
Vulnerability of victim		
N/A		
Level of participation/premeditation		
N/A		
Conduct completed/attempted		
N/A		
Other features of player's conduct		
N/A		
Entry point		
<input type="checkbox"/> Top end [XX] 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		
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:

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
N/A	N/A
Youth and inexperience of player	Conduct prior to and at hearing
N/A	N/A
Remorse and timing of remorse	Other off-field mitigation
N/A	N/A

Number of weeks deducted:

Summary of reason for number of weeks deducted:
N/A

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	Red Card Dismissed	<input type="checkbox"/> Sending off sufficient
Sanction commences	N/A	
Sanction concludes	N/A	
Matches/tournaments included in sanction	N/A	

Costs	N/A
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Date	13 November 2021
Signature (JO or Chairman)	/s/ Matthew O'Grady

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)