



DECISION FORM

PARTICULARS OF OFFENCE		
Player's Name	Merab SHARIKADZE	
Player's Union/club	Black Lion	
Match	Black Lion v Tel-Aviv Heat	
Competition	Rugby Europe Super Cup	
Date of match	17/12/2022	
Match Venue	Avchala Stadium, Tbilisi	
Rules to apply	Regulation 17 World Rugby Handbook; or Rugby Europe Disciplinary Regulations	
Referee Name	Paulo Duarte	Plea Charge
Offence	Law 9.12 - Physical abuse (striking with head)	<input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:

HEARING DETAILS		
Hearing date	20/12/2022	Hearing venue: On remote
Chairperson/JO	Gert-Mark Smelt (Chairperson)	
Other Members of the Disciplinary Panel	Chris Morgan (wing) Mark Curran (wing)	
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)	A. Iordanashvili; V. Abashidze; M. Tavazaraschvili.	Other attendees
List of documents / materials provided to Player in advance of hearing	1. Citing Commissioner report 2. Video Clip 1 3. Video Clip 2 4. Game sheet 5. Unformal statement from Tel Aviv Heat 6. Disciplinary Statement Sharikadze 7. Video Clip Buka.mp4 8. First League Calendar R.C. Junkers	

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE

During a stoppage of play (PK awarded to Black Lion) the Player follows a retreating opponent, after having crossed a moment before. They stand face to face for a part of a second before the Player strikes the opponents head with his head (head butt). The opponent falls to the ground in the same motion. (27:54 min)

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

Opponent felt light headed, intense pain in the nose. Physiotherapist reports redness of the nose and teariness, consistent with contact with force. There is no evidence of broken nose or concussion.

SUMMARY OF PLAYER’S EVIDENCE

Player admits there was contact between his head and the head of the opponent.

Player claims the head contact unintentionally. He was insulted by the opponent in passing and again when they were face to face. He wanted to make clear he wanted it to stop.

FINDINGS OF FACT

From Video clip 1 it is clear that the Player and the opponent are face to face, with their faces very near each other and almost touching. The Player then moves his head forward in a short sharp motion and the heads make contact.

That leads to the finding that the Player gave an opponent a head butt to the face (striking with the head).

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 checked="" type="checkbox"/> Intentional/deliberate <input type="checkbox"/> Reckless		
State Reasons		
The incident occurred during a stoppage of play, off ball and after the previous ruck had dissolved. Opponent was retreating and had passed the Player; Player had to follow him in order to make contact. Head butt was given from a standing position.		
Gravity of player's actions		
Off ball act of aggression against a retreating opponent. Direct and deliberate contact to the head.		
Nature of actions		
Head butt to the head.		
Existence of provocation		
The opponent had come out of the dissolved ruck. No contact at that time. The sudden turn/change of direction of the player is a sufficient indication for some unpleasant remark by the opponent in passing. The remark can not have been other than short and was verbal, not physical. The remark constitutes a mere minor provocation.		
Whether player retaliated		
N/A		
Self-defence		
N/A		
Effect on victim		
Painfull at the moment, but no evidence of broken nose or concussion.		
Effect on match		
None. Opponent was not removed or substituted.		
Vulnerability of victim		
High. Off ball contact. No means of protecting the face.		
Level of participation/premeditation		
Spur of the moment reaction. No premeditation.		
Conduct completed		
Fully.		
Other features of player's conduct		
N/a		
Entry point		
<input type="checkbox"/> Top end	<input checked="" type="checkbox"/> Mid-range 10 Weeks	<input type="checkbox"/> Low-end
*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.		
NOTE		
The Panel notes that, while head contact in general automatically results in a Mid-range sanction, for some offences head contact is already taken into account. '9.12 striking with the head' is one of those offences. The Panel finds that the merits of this case warrant a Mid-range sanction by themselves.		

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: 0

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 acknowledged the head contact

Player's disciplinary record/good character

The Player has played for approximately a decade at the highest level of both club and international rugby. The Player has a disciplinary record which is close to exemplary, giving evidence that he has incurred only a single yellow card during the span of his professional career.

Youth and inexperience of player

N/A

Conduct prior to and at hearing

Player has been sincere in his statements and acknowledgment.

Remorse and timing of remorse

N/A

Other off-field mitigation

The Player did discuss the matter after the match with his opponent but felt unable to apologise due to the comments made by opponent towards him.

Number of weeks deducted: 4

Summary of reason for number of weeks deducted:

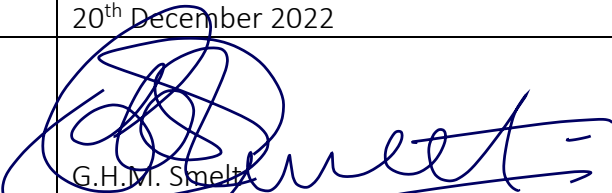
The action of the Player is not in any way acceptable in rugby, not in general nor as a reaction to an unpleasant remark or insult. Although the Player is not apologetic for doing it, he is apologetic for what happened. The panel is convinced that the example he is for other and especially younger players will prevent the same behaviour in the future. Given his lack of a disciplinary record for foul play (notably for a great number of matches) and his sincere acknowledgment a deduction as aforementioned is justified. His lack of insight into his wrong doing limits the deduction to 4.

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	6 matches	<input type="checkbox"/> Sending off sufficient
Sanction commences		
Sanction concludes	20/02/23	
Matches/tournaments included in sanction	25/12/2022 – Gori v Junkers 20-22/01/23 – Kochebi v Junkers 27-29/01/23 – Borjami v Junkers 05/02/23 – Georgia v Germany 12/02/23 – the Netherlands v Georgia 19/02/23 – Spain v Georgia	

Costs	None sought or awarded
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Date	20 th December 2022
Signature (JO or Chairperson)	 G.H.M. Smelt

NOTE: You have 48 hours from notification of the decision of the chairman/jo to lodge an appeal

