

# DECISION FORM

To be sent to [discipline@rugbyeurope.eu](mailto:discipline@rugbyeurope.eu).



| Particulars of offence  |                                |
|---|--------------------------------|
| Player's Name: Ronan BERNIER  |                                |
| Player's number: 7  |                                |
| Player's union: Ligue AURA  |                                |
| Competition: U20 Championship   |                                |
| Host Team (T1): Portugal  | Visiting Team (T2): Ligue AURA |
| Venue: Marketa Rugby Stadium, Prague  |                                |
| Date of match: 19/11/23   |                                |
| Rules to apply: Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program; or Other  |                                |
| Referee Name: Rob MAC DOWELL – Scotland   |                                |
| Plea: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted  |                                |
| Offence: <input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other<br><i>If "Other" selected, please specify:</i>   |                                |
| Hearing details   |                                |
| Chairperson / JO: Samantha Hillas KC  |                                |
| Other Members of the Disciplinary Panel:<br>- Michiel van Dijk<br>- Miriani Tavzarashvili   |                                |
| Hearing date: 28/11/2023  |                                |
| Hearing venue: remote via Teams   |                                |
| 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): Cedric Chaubeau   |                                |
| Other attendees:  |                                |
| List of documents/ materials considered by the Panel: <ul style="list-style-type: none"><li>• Game sheet</li><li>• Red Card report</li><li>• Video footage of incident</li></ul>  |                                |
| Summary of essential elements of citing / Referee's report / Incident footage   |                                |
| From the Red Card Report:<br><br><i>"7 Blue tackled 10 Red while he was jumping to catch the ball. 10 Red landed dangerously on his head and neck."</i><br><br>The video footage shows Ronan Bernier ("the Player") following a high ball which has been kicked by one of his team mates. He appears to be focussed on the ball and runs into Red 10 who is in the process of jumping to catch the ball, knocking Red 10 off balance. Red 10 then falls to the ground. Although the video footage is shot from a number of angles, the incident is not wholly clear. It looks as though Red 10 falls firstly on his arm/elbow area but his head and neck do make contact with the ground. Red 10 immediately jumps to his feet to play the ball before the referee stops play to issue a Red Card against the Player. |                                |

#### Essential elements of other evidence (e.g. medical reports)

N/A

#### Summary of player's evidence

The Player gave evidence in French and this was translated by David Baird Smith.

In summary, the Player said that his intention was to play the ball. He was staring at the ball and there were other red players between him and Red 10. At no time did he target Red 10. He realised his error immediately and stopped play, understanding he had committed an unintentional act of foul play. Red 10 stood up quickly and resumed the game without injury. The Player left the field without protest.

#### Findings of fact

The Panel finds that the Player gave an accurate account of the incident. He did not intend to make contact with Red 10 whilst his feet were off the ground and he regrets the incident. He realised immediately he had committed an act of foul play and stopped play, anticipating a response from the referee. He left the field of play without protest and accepted the red card was warranted. His actions were reckless, not intentional. Red 10 was not injured and immediately sprang to his feet to play the ball after the incident.

#### 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:

Intentional/deliberate  Reckless

### Reasons for finding as to intend:

The Panel finds that the Player did not intend to collide with Red 10 – he was focussed on the ball. He committed an act of foul play recklessly rather than intentionally.

### Nature of actions

The Player made contact with Red 10 whilst his feet were off the ground jumping for the ball, causing Red 10 to fall to the ground.

### Existence of provocation:

N/A

### Whether player retaliated:

N/A

### Self-defence:

N/A

### Effect on victim:

There was no apparent injury. Red 10 sprang to his feet immediately after the incident to play the ball. The Panel were told there was no report of any injury to Red 10.

### Effect on match:

None save the Player was red carded.

### Vulnerability of victim:

As with any victim player who is tackled whilst his feet are off the ground, Red 10 was in a vulnerable position and could have suffered injury as a result of this incident. He was lucky he did not.

### Level of participation / premeditation:

Full participation.

### Conduct completed / attempted:

Completed.

### Other features of player's conduct:

N/A

| Entry point  |       |                          |       |                          |       |
|--|-------|--------------------------|-------|--------------------------|-------|
| Low-end  | Weeks | Mid-range                | Weeks | Top end                  | Weeks |
| <input checked="" type="checkbox"/>  | 4     | <input type="checkbox"/> | [XX]  | <input type="checkbox"/> | [XX]  |
| <b>Reasons for selecting entry point:</b>  |       |                          |       |                          |       |
| This was a reckless act which caused no injury to the victim player and had no effect on the game save that the Player was sent off. |       |                          |       |                          |       |

| Relevant off-field mitigating factors  |   |
|--|---|
| <i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i> |   |
| <b>Acknowledgement of guilt and timing:</b>  | <b>Player's disciplinary record / good character:</b> |
| The Player acknowledged his fault immediately and left the field of play without protest.            | Clean disciplinary record.                            |
| <b>Youth and inexperience of player:</b>   | <b>Conduct prior to and at hearing:</b>               |
| The Player is a young player (aged 18).  | The Player conducted himself impeccably.              |
| <b>Remorse and timing of Remorse</b>   | <b>Other off-field mitigation:</b>                    |
| The Player clearly regrets his actions.  | N/A   |

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| <b>Number of weeks deducted: 2</b>   |
| <b>Summary of reason for number of weeks deducted:</b>   |
| The Panel considered that, for all the reasons set out above, the Player was entitled to the maximum discount possible and reduced his 4-week suspension to 2 weeks. |

**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:**

Clean disciplinary record.

**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:**

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## 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: 2 weeks/matches                                  | <input type="checkbox"/> Sending off sufficient |
| Sanction commences: 19.11.23                                     |   |
| Sanction concludes: 03.12.23                                     |   |
| Matches/ tournaments included in sanction: 26.11.23 and 02.12.23 |   |
| Costs:   |   |

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| <b>Signature</b>   |
| Name of the JO or Chairman: SAMANTHA HILLAS KC             |
| Date: 28.11.23   |
| Signature (JO or Chairman):<br><br>(SIGNED ELECTRONICALLY) |

**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)