

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: Kamil Mihai Sobota	
Player's number: 7	
Player's union: Romania	
Competition: Men Championship	
Host Team (T1): Poland	Visiting Team (T2): Romania
Venue: Narodowy Stadion Rugby, Gdynia, Poland	
Date of match: 04/02/2024	
Rules to apply: 9.13 – Dangerous tackle; A player must not tackle an opponent early, late or dangerously.	
Referee Name: Keane Davidson	
Plea: <input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	
Offence: <input type="checkbox"/> Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <i>If "Other" selected, please specify:</i>	
Hearing details	
Chairperson / JO: Martin Picton	
Other Members of the Disciplinary Panel: - Michiel van Dijk - Eric Jara Lliteras	
Hearing date: 06/02/2024	
Hearing venue: On remote	
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): Horatiu Bargaunas	
Other attendees: Aaron Lloyd	
List of documents/ materials considered by the Panel: 1. Citing Commissioner report 2. Game Sheet 3. Video clip of the incident	
Summary of essential elements of citing / Referee's report / Incident footage	
<p>POL 1 (Jakub Wojtkowicz) receives the ball within Romania's half positioned 16m from the right touchline and 11m deep. Progressing forward approximately 2 metres, he engages in collision. Concurrently, ROM7 (Kamil Mihai Sobota) runs forward from a short distance 2 defend. At the point of impact, both players maintain not significantly bent body position. The first contact between the players is on the face and the ROM7 player does not use his arms to grab the opponent during the collision. Subsequent to the incident both players fall to the ground and the referee stops the game immediately. The medic staff enters the field of play to maintain the players. After the medical assistants, both players continue to play and the referee gives a Yellow Card for the ROM7 player. Based on the head contact protocol: is their head contact - yes; is it foul play - yes; degree of danger - high.</p> <p>The footage was consistent with that description.</p>	

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

N/A

Summary of player's evidence

The Player accepted that he had committed an act of foul play and that given the head contact it passed the red card test. He related that he apologised to his opponent both on the field immediately after the tackle but also once the game had concluded – seeking out POL1 in order to do so. He emphasised that he had intended to carry out a legal tackle but accepted that he did not manage to lower his body height in time or wrap in a legal manner.

Findings of fact

The Player committed an act of foul play that amounted to the disciplinary offence charged and that it passed the red card test.

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:

He tried to make a legal tackle but got it wrong. He did not intend to initiate head contact.

Nature of actions

Tackled with too high a body position thus creating the risk of head contact. The contact that took place carried with it a high degree of danger but in the event no injury resulted.

Existence of provocation:

NA

Whether player retaliated:

NA

Self-defence:

NA

Effect on victim:

None after treatment on the ground.

Effect on match:

None save that the Player himself received a yellow card.

Vulnerability of victim:

As vulnerable as any player in a head contact situation.

Level of participation / premeditation:

Reckless as opposed to intentional.

Conduct completed / attempted:

Completed.

Other features of player's conduct:

Did not protest the referee's decision and was immediately apologetic.

Entry point

Low-end	Weeks	Mid-range	Weeks	Top end	Weeks
<input type="checkbox"/>		<input checked="" type="checkbox"/>	[6]	<input type="checkbox"/>	

Reasons for selecting entry point:

Head contact dictates mid-range. We did not consider there was any basis to go higher.

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:
Immediate and genuine.	Two previous red cards but for different types of offence. One in 2020 and one in 2021.
Youth and inexperience of player:	Conduct prior to and at hearing:
NA	Exemplary – it was indicated in advance of the hearing that the Player accepted the charge. There was no requirement for any evidence to be called. Some might have chosen to try and argue the level of danger but the Player did not.
Remorse and timing of Remorse	Other off-field mitigation:
Genuine remorse and immediate.	

Number of weeks deducted: [3]

Summary of reason for number of weeks deducted:

We hesitated to afford the Player the full 50% mitigation but decided to do so because of his immediate apology, genuine remorse and frank acceptance of wrong doing.

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:

NA

Need for deterrence:

NA

Any other off-field aggravating factors:

NA

Number of additional weeks: [0]

Summary of reason for number of weeks added:

NA

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: 3 weeks/matches	<input type="checkbox"/> Sending off sufficient
Sanction commences: 10/2/24	
Sanction concludes: 3/3/24	
Matches/ tournaments included in sanction: February 10th: Romania vs. Belgium February 17th: Romania vs. Portugal March 2nd-3rd: RE Semi-finals	
Costs:	
Signature	
Name of the JO or Chairman: Martin Picton	
Date: 06/02/2024	
Signature (JO or Chairman): <i>M Picton</i>	

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)