

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: David Wallis	
Player's number: 6	
Player's union: Portugal	
Competition: Rugby Europe Men Championship	
Host Team (T1): Portugal	Visiting Team (T2): Poland
Venue: Estadio Nacional Jamor, Lisbon	
Date of match: 10/02/2024	
Rules to apply: Regulation 17 World Rugby Handbook; or Tournament Disciplinary Program; or Other	
Referee Name: Ethan Glass	
Plea: <input type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	
Offence: <input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other <i>If "Other" selected, please specify:</i>	
Hearing details	
Chairperson / JO: Matthew O'Grady	
Other Members of the Disciplinary Panel: - Dany Roelands - Mark Curran	
Hearing date: 13/02/24	
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): Fernando Murteira (Team manager) Jose carlos Augusto (Lawyer) Francisco Martins (Vice President of the Union)	
Other attendees: David Baird-Smith (Rugby Europe)	
List of documents/ materials considered by the Panel: 1. Game sheet 2. Video clip of the incident *4 3. Red card report *3 (from Referee and from Assistant Referees)	
Summary of essential elements of citing / Referee's report / Incident footage	
The Red Card report stated: "During a brawl, red 6 punched a Polish player in the head."	
Essential elements of other evidence (e.g. medical reports)	
None provided.	
Summary of player's evidence	
The Player denied punching an opponent. In his evidence he minimised his conduct, which included pulling at opponent and briefly pulling an opponent across the throat area.	

Findings of fact

The video footage conclusively showed that at no time did the Player punch or strike an opponent. The reverse camera angle showed that the movement of the Player's arm was not a strike or punch.



The officials did not give evidence and their account could not be tested or explored.

Accordingly, the Referee was wrong to send the Player off. The Player committed foul play by his dangerous conduct pulling at opponents for which a Yellow Card is substituted in the place of the Red Card.

Decision

Proven Not proven Other disposal (please state)

Red Card dismissed, substituted with a Yellow Card

The remainder of this form is deliberately left blank.

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:

Nature of actions

Existence of provocation:

Whether player retaliated:

Self-defence:

Effect on victim:

Effect on match:

Vulnerability of victim:

Level of participation / premeditation:

Conduct completed / attempted:

Other features of player's conduct:

Entry point					
Low-end <input type="checkbox"/>	Weeks [XX]	Mid-range <input type="checkbox"/>	Weeks [XX]	Top end <input type="checkbox"/>	Weeks [XX]
Reasons for selecting entry point:					

Relevant off-field mitigating factors	
<i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>	
Acknowledgement of guilt and timing:	Player's disciplinary record / good character:
Youth and inexperience of player:	Conduct prior to and at hearing:
Remorse and timing of Remorse	Other off-field mitigation:

Number of weeks deducted: [XX]
Summary of reason for number of weeks deducted:

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:

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Need for deterrence:

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Any other off-field aggravating factors:

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Number of additional weeks: [XX]

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:	<input type="checkbox"/> Sending off sufficient
Sanction commences:	
Sanction concludes:	
Matches/ tournaments included in sanction:	
Costs:	

Signature
Name of the JO or Chairman: Matthew O'Grady
Date: 18 February 2024
Signature (JO or Chairman): /s/ M 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)