

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: Nikola Pavlovic	
Player's number: 5	
Player's union: Croatia	
Competition: Rugby Europe 7s Trophy Series (Men's)	
Host Team (T1): Hungary	Visiting Team (T2): Croatia
Venue: Zagreb	
Date of match: 18/06/2023	
Rules to apply: Tournament Disciplinary Programme	
Referee Name: Martin Pertenais	
Plea: <input type="checkbox"/> Admitted <input checked="" 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	
JO: Jennifer Donovan	
Other Members of the Disciplinary Panel: N/a	
Hearing date: 18/06/2023	
Hearing venue: Zagreb	
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): Team Manager, Bojan Colnago	
Other attendees:	
List of documents/ materials considered by the Panel: Citing Report and match Footage	
Summary of essential elements of citing / Referee's report / Incident footage	
<p>The report of the Citing Commissioner indicated that the player had been cited for an offence contrary to Law 9.17. The report stated that following the kick off Hungary No. 8 lifted Hungary No. 9 ("H9") who received the ball cleanly; that the player having chased the kick, jumped in the air with his left arm extended, not being in a realistic position to catch the ball.</p> <p>It was reported that the player looped his left hand through the right arm of H9, grasping him just by his elbow and causing him to tip forward dangerously resulting in him falling on his right arm, shoulder and head.</p> <p>The incident could be seen on the short clip made available to the JO.</p>	
SUMMARY OF PLAYER'S EVIDENCE	
<p>The player accepted that he had committed an act of foul play, having made contact in the air with H9. The player did not accept that the offending met the red card threshold.</p> <p>The player's representative submitted that the player had been trying to tap the ball back, as he had been coached to do. He said that as the player pulled his arm back, his hand had</p>	

become caught up in the arm of H9 and in that way the player had pulled the arm of H9. The player did not agree that he had grasped the arm of H9.

It was accepted that the offending was dangerous but it was submitted that the act was not highly dangerous. It was accepted that the player landed on his shoulder but it was not accepted that this constituted a dangerous landing. It was also argued that a poor lift by the supporting player had contributed to the tipping forward of H9. The player was asked why he had put his hands up upon landing. The player's representative indicated that he was coached to do so and to retreat 10 meters immediately upon the awarding of a penalty.

Findings of fact

It was found that the player had pulled on the arm of H9 whilst that player's feet were off the ground and that he had done so recklessly, having not been in a realistic position to gather the ball. It was found that although H9 was not injured, H9 had landed dangerously on his shoulder.

In determining if the offending, which was admitted, reached the red card threshold, the JO considered the guidance issued by World Rugby in relation to such incidents. The guidance provides that a red card should be awarded where a player is not in a realistic position to gather the ball, where there is reckless or deliberate foul play and where the opposition player lands in dangerous position. It was held that, accordingly, the red card threshold was met in relation to this incident.

Decision

Proven Not proven Other disposal (please state)

SANCTIONING PROCESS

Assessment of seriousness
<i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>
Assessment of intent:
<input checked="" type="checkbox"/> Intentional/deliberate <input type="checkbox"/> Reckless
Reasons for finding as to intent:
The offending was found to be reckless rather than deliberate, the player having intended to attempt to tap the ball back rather than intentionally making contact with the player in the air.
Nature of actions
Contact with a player who's feet were off the ground.
Existence of provocation:
N/a
Whether player retaliated:
N/a
Self-defence:
N/a
Effect on victim:
Uninjured and continued to play.
Effect on match:
Nil
Vulnerability of victim:
The victim player was in a vulnerable position as he was in the air.
Level of participation / premeditation:
Full participation, no pre-meditation.
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]
Reasons for selecting entry point:					
Offending held to be low end based on the factors outlined above.					

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:
Acceptance of foul play at the hearing	The player had a red card this season for verbal abuse of a match official for which he said that he received a 3 week suspension.
Youth and inexperience of player:	Conduct prior to and at hearing:

The player 31 and had 10 years experience at this level.	Acceptable.
Remorse and timing of Remorse	Other off-field mitigation:
The player was unaware that there was an issue until the citing and so did not apologise	N/a

Number of weeks deducted: 1
Summary of reason for number of weeks deducted:
The player is entitled to mitigation for his conduct and the hearing and for accepting that he had committed and act of foul play. For those reasons 1 week was deducted. It was found that the player was not entitled to any further mitigation for the reasons outlined above.

Additional relevant off-field aggravating factors <i>As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby</i>
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

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: 4 matches	<input type="checkbox"/> Sending off sufficient
Sanction commences: 18/06/2023	
Sanction concludes: To be confirmed once the player's playing schedule is confirmed	
Matches/ tournaments included in sanction: The final of the present tournament v Ukraine. The following 3 matches to be confirmed.	
Costs: Nil	

Signature

Name of the JO : Jennifer Donovan

Date: 18/06/2023

Signature (JO or Chairman):

Jennifer Donovan.

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)