

DECISION FORM

To be sent to discipline@rugbyeurope.eu.



Particulars of offence	
Player's Name: Piotr Zeszutek	
Player's number: 8	
Player's union: Poland	
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 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	
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): Bartosz Marczyński (Lawyer) Krzysztof Czajka (General Secretary)	
Other attendees: David Baird-Smith (Rugby Europe)	
List of documents/ materials considered by the Panel: 1. Game sheet 2. Citing Commissioner report 3. Video clip of the incident (*6) 4. Video testimony from Portuguese player 5. Medical statement from Portuguese doctor	
Summary of essential elements of citing / Referee's report / Incident footage	
The citing report stated that the Player grappled with Portugal 4 and punched Portugal 4 with an upper cut to the left side of Portugal 4's face.	
Essential elements of other evidence (e.g. medical reports)	
The Citing Commissioner relied upon a video account of Portugal 4, which clearly showed a notable swelling to the left-eye area.	

Summary of player's evidence

The Player denied punching an opponent. The Player said his testicles were grabbed by an opponent. He was angry at that. The Player did not see any other player punch Portugal 4, although he suggested at one point it was Portugal 8.

Findings of fact

We make our findings on the balance of probabilities.

1. The video shows that the Player's right hand/arm moved in very close proximity the left side of Portugal 4's face.



2. *Immediately* after this, Portugal 4 fell to the ground clutching the left side of his face / eye area.

3. The Player punched or struck Portugal 4 causing an injury requiring 3 stitches and the swelling seen on the images.

Decision

Proven Not proven Other disposal (please state)

SANCTIONING PROCESS

Entry point					
Low-end <input type="checkbox"/>	Weeks [XX]	Mid-range <input checked="" type="checkbox"/>	Weeks 6	Top end <input type="checkbox"/>	Weeks [XX]
Reasons for selecting entry point:					
Mandatory Mid-Range. The injury to Portugal 4 was notable and the impact on the Game significant, however on fine balance did not meet Top End.					
Nature of actions					
A punch or strike.					
Existence of provocation:					
The Player alleged he was grabbed on the testicles.					
Whether player retaliated:					
The Player did not prove he acted in retaliation.					
Self-defence:					
The Player did not prove he acted in self-defence.					
Effect on victim:					
The force of the punch / strike cut Portugal 4's face. He required stitches and sustained notable swelling.					
Effect on match:					
The incident occurred during very significant disruption to the match. The Player's actions escalated and prolonged the confrontation between the two sides.					
Vulnerability of victim:					
The Player struck a vulnerable part of Portugal 4's body. He was not otherwise vulnerable.					
Level of participation / premeditation:					
A punch or strike in the heat of the moment.					
Conduct completed / attempted:					
Completed					
Other features of player's conduct:					
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's disciplinary record / good character:
The Player did not acknowledge guilt.	A Red Card in Poland's domestic competition in September 2023 for what was described as a stamp/trample in a maul.
Youth and inexperience of player:	Conduct prior to and at hearing:
Not inexperienced. The Player is 33 years old. He has played Rugby from the age of 5. 35 international appearances. National Captain for 8 years.	Appropriate.
Remorse and timing of Remorse	Other off-field mitigation:
The player did not admit foul play and was not remorseful for punching / striking.	N/A

Number of weeks deducted: 2 Weeks

Summary of reason for number of weeks deducted:

The Player conducted himself appropriately at the hearing. He has a very recent Red Card, but of a different character to this act of foul play. The Player did not admit this foul play and this limited his remorse.

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: [XX]

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 Weeks	<input type="checkbox"/> Sending off sufficient
Sanction commences: Immediately	
Sanction concludes: 1 April 2024	
Matches/ tournaments included in sanction: 17 February 2024 2 / 3 March 2024 17 March 2024 30 / 31 March	
Costs: None	

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)