

DISCIPLINARY DECISION



Match	Calgary Saints RFC v Calgary Canucks RFC		
Competition	Mens Development		
Date of match	May 14, 2022	Match venue	CRP #2
Rules to apply	Regulation 17 World Rugby Handbook		

PARTICULARS OF OFFENCE			
Player's surname	Demeter	Date of birth	
Forename(s)	Luke		
Player's Union	Calgary Rugby Union		
Referee Name	Lee Jeffries	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not Admitted
Offence		SELECT: <input checked="" type="checkbox"/> Red Card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	
Summary of Sanction	Time Served – No Further Sanction		

HEARING DETAILS			
Hearing date	May 18, 2023	Hearing venue	Calgary, Alberta via teams
Chairman/JO	John McDonald		
Other Members of Disciplinary Committee			
Appearance Player	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Appearance Union	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
Player's Representative(s)	Martyn Bentley	Disciplinary Officer and/or other attendees	
List of documents/materials provided to Player in advance of hearing	Referees Sending Off Report		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE

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The Saints were awarded a penalty on the 5 meter line due to Canucks hands in the ruck. The Saints quick tapped and drove in to score a try. Canucks flanker number 16 felt one of the Saints players had struck a Canuck in the head while the players were driving into the goal area. I did not witness this occur. The Canucks 16 grabbed the player and several players went to the ground. Other players joined in and Canucks 16 and Saints hooker 2 began to strike each other. I witnessed the two players exchange punches to each other's chest and stomach. No other players exchanged blows but were only pushing each other. Once the players were separated and both teams removed themselves away from the area of the fracas,

ESSENTIAL ELEMENTS OF OTHER EVIDENCE (e.g. medical reports)

N/A

SUMMARY OF PLAYER'S EVIDENCE

There is some confusion as to what number the Canucks Player was wearing at the time however, both the Club and Luke Demeter admitted that it was in fact Mr. Demeter sent off.

FINDINGS OF FACT

By admission I accept that that Luke Demeter did strike another player.
I find that the offence occurred near the end of what I understand to be a very spirited match, and tempers were running high.
I am unable to determine, based on the Referees report, or the admissions of the players who the instigating party was.
I find that no one was injured as a result of the admitted conduct.

DECISION

Breach admitted

Proven Not Proven Other disposal (please state)

SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 17.18.1(a)-(b) (or equivalent Tournament rule)

Intentional

Reckless

State Reasons

It is accepted by both the Referees Report, and the Player that the player did not intent to infringe the laws, but such conduct was a reckless reaction to a situation real or perceived.

Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)

The action described by the Referee, and admitted by Mr. Demeter are that he struck, with a fist the chest area of another player.

Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
There is some evidence of provocation by another player. It is impossible to determine with any level of certainty whether Mr. Demeter reacted to an alleged strike to a teammate, or not. As a result I must consider that there was some level of provocation.
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
There is no evidence to lead me to conclude, on a balance of probabilities who threw the first punch, similarly it is impossible to find the player's action retaliatory.
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
The player asserts that he struck another player in defence of a teammate. I found his evidence to be straightforward, and as a result I accept that the player felt he was acting in defence of himself or another person.
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
There is no evidence of a deleterious effect on the victim.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
As a result of the sending of two players there was an offsetting effect, the final score reflected the score at the time of the sending off.
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
There is no evidence to suggest the victim was in a vulnerable position.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
There is no evidence to suggest premeditation.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
The conduct was completed.
Other features of player's conduct – R 17.18.1(l) (or equivalent Tournament rule)
Player accepted responsibility for his actions at the first opportunity. Player expressed remorse for his actions at the time.

ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point					
<u>Top end*</u>	<u>Weeks/Matches</u>	<u>Mid-range</u>	<u>Weeks/Matches</u>	<u>Low-end</u>	<u>Weeks/Matches</u>
<input type="checkbox"/>	Click Here For #	<input type="checkbox"/>	Click Here For #	<input checked="" type="checkbox"/>	2

*If Top End, the JO or Panel should identify, if appropriate, an entry point between the Top End and the maximum sanction and provide the reasons for selecting this entry point, below.

In making this assessment, the JO/Committee should consider World Rugby Regulations 17.18.1(a), 17.18.1(g), and 17.18.1(h) or the equivalent provisions within the Tournament Rules referred to above.

Reasons for selecting Entry Point above Top End

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – R 17.19.1(a) (or equivalent Tournament rule)	Player’s disciplinary record – R 17.19.1(b) (or equivalent Tournament rule)
Accepted Responsibility at the first opportunity	No disciplinary record to speak of.
Youth and/or inexperience of player – R 17.19.1(c) (or equivalent Tournament rule)	Conduct prior to and at hearing – R 17.19.1(d) (or equivalent Tournament rule)
Experienced player	Player conducted himself with contrition
Remorse and timing of remorse – R 17.19.1(e) (or equivalent Tournament rule)	Other off-field mitigation – R 17.19.1(f) (or equivalent Tournament rule)
Player exhibited remorse at the time of the incident and again at the hearing	

Number of weeks /matches deducted: 2

Summary of reason for number of weeks/matches deducted:

Player was remorseful and immediately apologetic, his conduct both at the time of the incident and the time of the hearing were indicative of a seasoned player who accepted his role in the incident. The player has no disciplinary record to speak of.

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player’s status as an offender of the Laws of the Game – R 17.20.1(a) (or equivalent Tournament rule)
Player has no previous disciplinary history
Need for deterrence – R 17.20.1(b) (or equivalent Tournament rule)
No published need for specific deterrence of this type of conduct.
Any other off-field aggravating factors – R 17.20.1(c) (or equivalent Tournament rule)

None

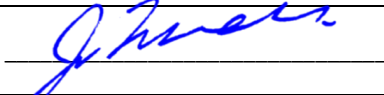
Number of additional weeks/matches: 0

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 – R 17.12.5(f) / 17.13.7 (or equivalent Tournament rule)

Total sanction	0 Weeks/Games	<input checked="" type="checkbox"/> Sending off sufficient
Sanction commences	May 14, 2023	
Sanction concludes	May 14, 2023	
Matches/tournaments included in sanction	N/A	

Costs	None
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Signature (JO or Chairman)		Date	May 18, 2023
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NOTE: Should the Player or the club wish to appeal this sanction they may do so in accordance with the Rugby Alberta Rules and Regulations dated 2019.