

DISCIPLINARY DECISION



Match	Lethbridge Rugby Club v Calgary Canucks		
Competition	MDEV		
Date of match	June 23, 2023	Match venue	Calgary Rugby Park
Rules to apply	Regulation 17 World Rugby Handbook; and HSBC World Rugby Sevens Series 2022 Tournament Disciplinary Programme		

PARTICULARS OF OFFENCE			
Player's surname	Demeter	Date of birth	
Forename(s)	Luke		
Player's Club	Calgary Canucks		
Referee Name	Conan Cooper	Plea	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not Admitted
Offence	9.12 Punching or striking with the Arm or Shoulder 9.12 Striking with the Shoulder 9.12 Stamping or Trampling 9.20 A player must not charge into a ruck or maul 9.20 A player must not make contact with an opponent above the line of the shoulders	SELECT: <input type="checkbox"/> Red Card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify:	
Summary of Sanction	No Sanction		

HEARING DETAILS			
Hearing date	June 23, 2023	Hearing venue	Calgary Alberta (via teams)
Chairman/DO	John McDonald		
Other Members of Disciplinary Committee			
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)	Paul Reid		
List of documents/materials provided to Player in advance of hearing	Copy of Citing Report Video footage from the match https://youtu.be/pu5cxtSQblk		

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

The Lethbridge Rugby Club Alleges that Mr. Demeter contravened the referenced laws in the following ways: at 34:15 C2 shoulder charges a player in the ruck making contact above the line of the shoulders.

At 43:00 directly in front of the Match Official C2 shoulder charges a LRC player making contact directly with the head.

At 45:05 C2 pulls the Jersey of L13 and proceeds to upper cut him a number of times.

At 1:01:05 C2 calmly walks up from about 10m and proceeds to stomp on L23 who is on the ground then attempts to strike him.

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

At minute 34:15 the video clearly shows L2 charging into a ruck and making contact with a Lethbridge Player who is one the ground in a ruck, it should be noted L23 is intentionally off his feet in the ruck sealing the ball.

At minute 43:05 or thereabouts the video clearly shows that C2 charges into a ruck, it does not show if C2 bound into the ruck or struck to the head intentionally.

At 1:00:05 the video does not show any stamping made by C2, nor does it show any attempt to punch L23 who is on the ground.

SUMMARY OF PLAYER'S EVIDENCE

The player himself denies anything other than good hard rugby. Mr. Reid brings my attention to Regulation 17.16.4, it is the player, and the club's assertion that if the allegations against Mr. Demeter are proven, that they were visible to the Match Official, and as a result a sanction cannot be applied as a result.

FINDINGS OF FACT

World Rugby Regulation 17.16.4 holds that "In citing cases involving Matches in which no Citing Commissioner was appointed and team citing applies, the Disciplinary Committee or Judicial Officer must establish:

- (i) that the incident was undetected by the referee and/or assistant referees, and
- (ii) the alleged Foul Play was sufficiently serious to warrant an Ordering Off.

If the Disciplinary Committee or Judicial Officer does not consider the alleged Foul Play of sufficient seriousness to have warranted an Ordering Off they shall dismiss the citing complaint. If the Disciplinary Committee or Judicial Officer considers the alleged Foul Play of sufficient seriousness to have warranted an Ordering Off, the Disciplinary Committee or Judicial Officer shall move to the next stage of the hearing to determine the sanction (if any) to be imposed on the Player in accordance with Regulations 17.17 to 17.21.

I am convinced on the balance, after review of the video footage, and taking into account all of the player statements that Mr. Demeter did in fact engage in a shoulder charge at 34:15 but that such charge occurred directly in view of the match official and that match official elected not to give any on field discipline, including but not limited to a penalty or sending off.

Having reviewed the video footage at or about 43:05 I cannot conclusively say that a shoulder charge occurred, or did not, but what is clear is that shoulder charge, and the following “jerseying and uppercut” incident occurred directly in the view of the match official who elected not to apply an on-field sanction.

Having reviewed the footage, I am not convinced that any stomping occurred.

In conclusion I am convinced on the balance that Mr. Demeter did engage in foul play, contrary to the laws of the game. I am however alive to the fact that in cases where the match official was in a position to see the activity and intentionally did not act I am bound by Regulation 17.16.4 not to interfere with the Match official’s on field decision. I would suggest to Mr. Demeter that he is likely to be scrutinized more heavily in the future.

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)
<input type="checkbox"/> Intentional <input type="checkbox"/> Reckless
State Reasons
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)

Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
Other features of player’s conduct – R 17.18.1(l) (or equivalent Tournament rule)

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 type="checkbox"/>	Click Here For #

*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)
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)
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)

Number of weeks /matches deducted: [Click Here For #](#)

Summary of reason for number of weeks/matches deducted:

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)
Need for deterrence – R 17.20.1(b) (or equivalent Tournament rule)
Any other off-field aggravating factors – R 17.20.1(c) (or equivalent Tournament rule)

Number of additional weeks/matches: [Click Here For #](#)

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 type="checkbox"/> Sending off sufficient
Sanction commences	Click to enter a date.	
Sanction concludes	Click to enter a date.	
Matches/tournaments included in sanction		

Costs	
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Signature (DO or Chairman)	<u>John C.W. McDonald ,CD</u>	Date	June 23, 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 Appeals Policy found here https://sportlomo-userupload.s3.amazonaws.com/uploaded/galleries/14156_uploaded/c526b66af28f017556c1381ab492ecb88f4f9bb1.pdf

Within 10 days of the date of this decision.