

DISCIPLINARY DECISION



Match	Edinburgh Rugby v Isuzu Southern Kings		
Player's Club	Isuzu Southern Kings	Competition	Guinness PRO14
Date of match	05/01/2019	Match venue	BT Murrayfield Stadium
Rules to apply	Guinness PRO14 Disciplinary Rules		

PARTICULARS OF OFFENCE

Player's surname	Scholtz		
Forename(s)	Pieter		
Referee Name	John Lacey (IRFU)	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	Law 9.12	SELECT:	Red card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other <input type="checkbox"/> If "Other" selected, please specify:
Summary of Sanction	Three weeks		

HEARING DETAILS

Hearing date	10/01/2019	Hearing venue	PRO14 Rugby, 3 rd Floor Millbank House, Arkle Road, Sandyford D18C6R3
Chairperson	Michael Coghlan (Ireland)		
Other Members of Disciplinary Committee	George Spotswood (Ireland) Donal Courtney (Ireland)		
Appearance Player	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Appearance Club	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Player's Representative(s)	Zingi Hela, Isuzu Southern Kings Team Manager Attie Heyns, SARPA	Disciplinary Officer and/or other attendees	Amy Monaghan (Tournament Manager)
List of documents/materials provided to Player in advance of hearing	Hawk-Eye footage Letter Notifying Player of Hearing Report of Referee John Lacey (IRFU) Report of Assistant Referees Jonny Erskine (IRFU) and Sam Grove-White (SRU) Statement of Jamie Ritchie, victim player Statement of Fraser McKenzie, Edinburgh Rugby player witness Statement of Michael Dunlop, Edinburgh Rugby Team Doctor Player's Replies to Standing Directions Players Playing Schedule Player's Disciplinary Record Player's Availability to Play		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE’S REPORT/MATCH FOOTAGE

The citing report submitted by Gary Gordon (SRU Citing Commissioner) concerning an alleged offence contrary to Law 9.12 on the part of Pieter Scholtz (the Player) in the match between Edinburgh Rugby and the Isuzu Southern Kings at BT Murrayfield Stadium on January 5th, 2019 when the said players hand came into contact with the eye area of Jamie Ritchie (No. 6, Edinburgh Rugby). A disciplinary committee was convened to consider the allegation of an offence contrary to Law 9.12 and to consider the reports and video footage of the incident in question.

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

The disciplinary committee comprised George Spotswood, Donal Courtney and Michael Coghlan (Chair) considered reports from the Referee (John Lacey), Assistant Referees (Jonny Erskine and Sam Grove-White) and player statements from Edinburgh Rugby (Jamie Ritchie and Fraser McKenzie) and the Medical statement from Edinburgh team doctor, Michael Dunlop.

SUMMARY OF PLAYER’S EVIDENCE

Having been informed of the citing, Mr. Scholtz confirmed in a statement that he had committed an act of foul play, but that it would not have given rise to a red card if had been observed by the match officials. He went on to state the placing of his hand at or near the eye area of his Edinburgh opponent was unintentional.

FINDINGS OF FACT

The disciplinary committee considered the evidence and having listened to what was said by Attie Hynes (SARPA) and Zingi Hela (Southern Kings Team Manager) and Pieter Scholtz (the Player) and determined that an offence contrary to Law 9.12 had occurred on the basis of the fact that contact had been made by the player to the eye area of his opponent.

DECISION

Breach admitted <input checked="" type="checkbox"/>	Proven <input checked="" type="checkbox"/>	Not proven <input type="checkbox"/>	Other disposal (please state) <input type="checkbox"/>
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SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 17.19.2(a)-(b) (or equivalent Tournament rule)
Intentional/deliberate <input type="checkbox"/> Reckless <input checked="" type="checkbox"/>
State Reasons
Player testimony corroborated by video footage.
Gravity of player’s actions – R 17.19.2(c) (or equivalent Tournament rule)
Low-Range, opposing player uninjured.
Nature of actions – R 17.19.2(d) (or equivalent Tournament rule)
The placing of a hand to the eye area of his opponent.
Existence of provocation – R 17.19.2(e) (or equivalent Tournament rule)
None.
Whether player retaliated – R 17.19.2(f) (or equivalent Tournament rule)
N/A
Self-defence – R 17.19.2(g) (or equivalent Tournament rule)
N/A
Effect on victim – R 17.19.2(h) (or equivalent Tournament rule)
None.
Effect on match – R 17.19.2(i) (or equivalent Tournament rule)
None.
Vulnerability of victim – R 17.19.2(j) (or equivalent Tournament rule)
None.
Level of participation/premeditation – R 17.19.2(k) (or equivalent Tournament rule)
No premeditation.
Conduct completed/attempted – R 17.19.2(l) (or equivalent Tournament rule)
The act of placing the hand occurred but without premeditation and with no intention to cause injury at the time.
Other features of player’s conduct – R 17.19.2(m) (or equivalent Tournament rule)
There was full cooperation with the hearing committee.

ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point					
<u>Top end*</u>	<u>Weeks</u>	<u>Mid-range</u>	<u>Weeks</u>	<u>Low-end</u>	<u>Weeks</u>
<input type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>	

*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 17.19.2(a), 17.19.2(h), and 17.19.2(i) or the equivalent provisions within the Tournament Rules referred to above.

Reasons for selecting Entry Point at Low End
No premeditation, no injury to the opponent. The incident arose during an unstructured scuffle.

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status as an offender of the Laws of the Game – R 17.19.4(a) (or equivalent Tournament rule)
1 previous red card while a juvenile. 9 yellow cards over career as a senior player, but none for offences of violence.
Need for deterrence – R 17.19.4(b) (or equivalent Tournament rule)
None.
Any other off-field aggravating factors – R 17.19.4(c) (or equivalent Tournament rule)
None.

Number of additional weeks:

0

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – R 17.19.5(a) (or equivalent Tournament rule)	Player’s disciplinary record/good character – R 17.19.5(b) (or equivalent Tournament rule)
A statement of admission followed by an apology.	Generally good, but not unblemished.
Youth and inexperience of player – R 17.19.5(c) (or equivalent Tournament rule)	Conduct prior to and at hearing – R 17.19.5(d) (or equivalent Tournament rule)
N/A	Excellent.
Remorse and timing of remorse – R 17.19.5(e) (or equivalent Tournament rule)	Other off-field mitigation – R 17.19.5(f) (or equivalent Tournament rule)
From point of formal admission.	None.
Number of weeks deducted:	One.
Summary of reason for number of weeks deducted: Admission of facts and excellent presentation at the hearing.	

SANCTION

NOTE: PLAYERS ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – R 17.14.5(f) (or equivalent Tournament rule)

Total sanction	Three weeks	Sending off sufficient <input type="checkbox"/>
Sanction commences	Sunday 6 th January 2019.	
Sanction concludes	Sunday 3 rd February 2019.	
Matches/tournaments included in sanction	3 matches (Guinness PRO14)	

Costs	N/A
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Signature (Chair)	Michael Coghlan	Date	10/01/2019
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NOTE: YOU HAVE 48 HOURS FROM NOTIFICATION OF THE DECISION OF THE CHAIR TO LODGE AN APPEAL WITH THE TOURNAMENT DIRECTOR – DISCIPLINARY RULES 8.1 (PAGE 4-32)