

# DISCIPLINARY DECISION



Match	France v Italy		
Player's Union	France	Competition	Men's 6 Nations
Date of Match	25/02/2024	Match venue	Lille, France
Applicable rules	2024 SIX NATIONS DISCIPLINARY AND ANTI-DOPING RULES		

PARTICULARS OF OFFENCE			
Player's Surname	Danty	Player's Forename(s)	Jonathan
Player's Date of birth	07/10/1992	Referee's Name	Christophe Ridley
Foul play	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	Red card warranted	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	9.13 A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes but is not limited to tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders.	SELECT: Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/>  If "Other" selected, please specify:	
Summary of sanction	5 weeks.		

HEARING DETAILS			
Hearing date	27/02/2024	Hearing venue	Zoom call
Chairman/JO	Jennifer Donovan (Ireland)		
Other members of Disciplinary Committee	Leon Lloyd, ex-international player (England) Stefan Terblanche, ex-international player (South Africa)		
Appearance Player	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Appearance Player's union	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Player's representative(s)	Edward Reay-Jones, Head of Legal Affairs and Compliance, FFR. Oliver Harland, Northridge Law, Legal Representative. Raphael Ibanez, Team Manager, FFR.	Disciplinary Officer and/or other attendees	Tom Price, Acting Head of Policy and Integrity. Max Duthie, Bird & Bird, 6 Nations Legal Representative Annie Quantrill, 6 Nations. English / French Interpreters
List of documents/materials provided to Player in advance of hearing	Notice of Hearing. Match Footage. Tournament Disciplinary Rules. Head Contact Process. Referee Report – Christophe Ridley		

	<p>Television Match Official Report (TMO) – Ian Tempest  Foul Play Review Officer (FPRO) Report – Ben Whitehouse  Statement – Juan Ignacio Brex, Italy #13  Statement – Dr Roberto Alessandrini, Italy, Team Doctor</p> <p>Received from player:  Replies to Directions.  Statement of Player.  Player’s Disciplinary Record.  Player’s Playing Schedule.</p>
--	---

**SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE’S REPORT/INCIDENT FOOTAGE**

The Referee reported a tackle having been brought to his attention by the TMO. After formal TMO review, the Referee reported that it had been determined that the actions of the player were an act of foul play which met the yellow card threshold. A yellow card was awarded and the matter referred to the FPRO for review.

The TMO indicated that he had reviewed an upright tackle by the player and in doing so established that the player was upright in the tackle causing head contact which met the yellow card threshold. The incident was reviewed with the referee and then sent to the FPRO for review.

The FPRO reported that he reviewed an incident of foul play, being an upright tackle involving head contact. He stated that the player had a clear line of sight and had come from a distance. He reported having seen direct head on head contact which he assessed as high danger with no mitigation. The FPRO upgraded the decision to a red card.

The footage of the incident showed the player carry out a tackle on the Italian No. 13 (“I 13”). I 13 had received a pass from his lefthand side. As he passed the ball to his right, the player arrived at speed and made a tackle in an upright position. The players arms wrapped I 13 below the line of the shoulders but the player’s head made direct contact with the head of I 13. Both players went to ground following the tackle.

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

I 13 stated as follows:

“As soon as I passed the ball he tackled me, immediately afterwards when we were on the ground he apologized to me for the hit. Now I don’t have any problems on my face, nothing hurts”.

The Italian team doctor reported “Blunt maxillary trauma in the absence of clinical findings suggestive of injury or signs of concussion”.

## SUMMARY OF PLAYER'S EVIDENCE

The player, in replies to Directions confirmed his acceptance of the red card decision and confirmed that he did not wish to contest any aspect of the ordering off. The player's written statement was submitted in advance of the hearing in which the player explained that he wanted to tackle I 13 quickly to prevent him from sidestepping or passing the ball. The player accepted that he did not reduce his height sufficiently and that his head made contact with the head of I 13 as a result. The player said that he immediately apologised to I 13. The player left the field when shown the yellow card. He accepted that the decision, on review, to upgrade the sanction to a red card was the correct decision. The player said that he did not mean to make contact with the head of I 13. When asked, he indicated that he was immediately aware that there would probably be an issue in respect of the tackle. The player fully accepted responsibility and did not seek to excuse the offending.

The player's playing schedule was submitted in advance of the hearing, as was his disciplinary record. The player had several previous disciplinary sanctions, being the following:-

2013/14 season. Red Card for punching or striking with the hand. 2 weeks suspension.

2016/17 season. Citing for dangerously charging a player not in possession of the ball. 2 weeks suspension.

2018/19 season. Red card for leading with the forearm. 4 weeks suspension.

2019/20 season. 3 accumulated yellow cards in Top 14. 1 week suspension.

2023/24 season. Red card for kicking. 2 weeks suspension.

Mr. Ibanez provided a character reference on behalf of the player and said that he did so on behalf of himself and the coaching staff. He said that the player had a fantastic attitude on and off the pitch. He explained that the player is a key player in the team both offensively and defensively and that he is the defence captain. He said that the player recognized that his tackle technique was wrong on this occasion but that he is a key player because he is very strong defensively.

In terms of sanctioning, it was submitted on behalf of the player that the appropriate entry point for sanction ought to be the mandatory minimum mid range entry point and not beyond that. Mr. Harland pointed to the lack of intent on behalf of the player; the lack of injury to I 13; the fact that I 13 was not in a particularly vulnerable position and that the only effect on the game was a prejudicial one to the player's own team. In respect of mitigation, Mr. Harland accepted that the player may not be entitled to the maximum reduction of 50% due to his previous disciplinary issues and the fact that he is an experienced player.

It was submitted by Mr. Harland that there were no aggravating features. He submitted that the player should not be considered to be an offender of the laws of the game and pointed out that he had never previously been sanctioned for a similar offence. Mr. Harland suggested that the Head Contact Process itself acted as a deterrence and that there was no need for anything further under that heading. It was indicated to Mr. Harland by the Chair that the committee would be discussing the player's record as a

possible aggravating factor should he wish to add anything to his submissions in that regard which he did not.

The player asked for the consent of the committee to apply to participate in the Coaching Intervention Programme as he had not participated previously. In relation to the playing schedule, it was indicated, very fairly, on behalf of the player that the player would have been on a “rest week” from 26/02/2024 to 03/03/2024 and that although the player’s club would have a fixture on 03/03/2024, the player would not have been scheduled to play in that match.

There were no submissions on behalf of 6 nations.

## FINDINGS OF FACT

It was found that the player committed an act of foul play consisting of a dangerous tackle contrary to Law 9.13. It was found that the tackle resulted in direct contact between the head of the player and the head of I 13. These facts were accepted by the player.

The player accepted the reports of the match officials in which the incident was described as carrying a high degree of danger and in which it was indicated that no mitigating factors existed. The player accepted that a red card was the appropriate sanction and the red card was upheld.

In respect of assessment of seriousness, the committee agreed with the submissions made on behalf of the player and found the appropriate entry point for sanction to be a mid range entry point of 6 weeks. The committee accepted that certain mitigating factors existed, in that the player fully accepted having committed an act of foul play at the earliest opportunity, he made an immediate apology to I 13 on the pitch and again after the match and he was entirely co-operative throughout the disciplinary process. The player, however, is very experienced and does not have a clean disciplinary record. A reduction in sanction of 2 weeks was applied.

In relation to aggravation, the committee considered the disciplinary record of the player which includes five previous suspensions, albeit one for accumulated yellow cards. The most recent matter on the player’s disciplinary record was a red card awarded in December, 2023 i.e. during the current season. The committee found that the player’s history of offending was an aggravating factor which warranted the addition of one week to the period of suspension.

The committee permitted the player to apply to participate in the Coaching Intervention Programme.

## DECISION

Foul play	Admitted <input checked="" type="checkbox"/> Determined <input type="checkbox"/> Not determined <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/>
Red card warranted	Admitted <input checked="" type="checkbox"/> Determined <input type="checkbox"/> Not determined <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/>

## SANCTIONING PROCESS

References below are to provisions in the 2024 Disciplinary and Anti Doping Rules, which form Schedule Four of the 2024 Six Nations Terms of Participation documentation.

### ASSESSMENT OF SERIOUSNESS

Assessment of intent – clause 2.5.89 (a) and (b)
Intentional <input type="checkbox"/> Reckless <input checked="" type="checkbox"/>
State reasons
The committee accepted the player’s evidence in respect of lack of intent and found the offending to be reckless.
Nature of actions – clause 2.5.89 (c)
Direct head on head contact.
Existence of provocation – clause 2.5.89 (d)
N/a
Whether Player retaliated – clause 2.5.89 (e)
N/a
Self-defence – clause 2.5.89 (f)
N/a
Effect on victim – clause 2.5.89 (g)
Was uninjured and continued to play
Effect on match – clause 2.5.89 (h)
Detrimental effect on player’s own team who were leading at the time of the incident.
Vulnerability of victim – clause 2.5.89 (i)
Player was on his feet but would not have been anticipating the head contact.
Level of participation/premeditation – clause 2.5.89 (j)
Full participation, no premeditation
Conduct completed/attempted – clause 2.5.89 (k)
Completed
Other features of Player’s conduct – clause 2.5.89 (l)
Nil

### ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point					
Top end*	Weeks/matches	Mid-range	Weeks/matches	Lower end	Weeks/matches
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input style="width: 30px; text-align: center;" type="checkbox"/> 6	<input type="checkbox"/>	<input type="checkbox"/>

\*If top end, the JO or Disciplinary Committee must identify, based on his/her/its assessment of the seriousness of the conduct, an entry point between the top end and the maximum sanction and provide the reasons for selecting this entry point, below (see clause 2.5.90).

Reasons for selecting entry point above top end

**RELEVANT OFF-FIELD MITIGATING FACTORS**

Acknowledgement of foul play (and timing) – clause 2.5.91(a)	Player’s disciplinary record – clause 2.5.91 (b)
At earliest opportunity, in replies to directions pre-hearing.	The player has a poor disciplinary record as outlined above.
Youth and/or inexperience of Player – clause 2.5.91 (c)	Conduct prior to and at hearing – clause 2.5.91 (d)
The player is 31 years old. He has 29 caps for France and is an experienced player.	The player and his representatives were courteous and co-operative throughout.
Remorse (and timing if remorse) – clause 2.5.91 (e)	Other off-field mitigation – clause 2.5.91 (f)
Immediate on field apology and further apology after the match.	nil

Number of weeks/matches deducted: 2

Summary of reason for number of weeks/matches deducted:

Full mitigation was not applied as the player did not fulfill all of the relevant criteria. Mitigating factors did exist as outlined above and mitigation was applied in respect of same.

**RELEVANT OFF-FIELD AGGRAVATING FACTORS**

Player’s status as an offender of the Laws of the Game – clause 2.5.94 (a)
The player had been sanctioned on 5 previous occasions for a range of instances of foul play as more particularly specified above. The earliest suspension was imposed during the 2014/15 season and the most recent was within the past three months. The committee found the repeat offending to be an aggravating factor.

Need for deterrence – clause 2.5.94 (b)
N/a
Any other off-field aggravating factors – clause 2.5.94 (c)
N/a

Number of additional weeks/matches:

## SANCTION

**NOTE:** PLAYERS ORDERED OFF OR CITED ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – CLAUSES 2.5.14 AND 2.5.33.

Total sanction	5 weeks subject to a possible 1 week reduction on successful completion of the Coaching Intervention Programme.	Sending off sufficient <input type="checkbox"/>
Sanction commences	25/02/2024	
Sanction concludes	Midnight 07/04/2024	
Matches/tournaments included in sanction	10/03/2024 Wales v France 16/03/2024 France v England. 23/03/2024 Bayonne v La Rochelle. 30/03/2024 La Rochelle v Oyonnax 06/04/2024 Stormers v La Rochelle	

Costs	Nil
-------	-----

Signature (JO or Chairman)	Jennifer Donovan	Date	27/02/2024
----------------------------	------------------	------	------------

**NOTE:** THE PLAYER WILL HAVE UNTIL 4PM (GMT) ON THE THIRD DAY (EXCLUDING WEEKENDS) AFTER RECEIPT OF THE WRITTEN NOTICE OF THE DECISION OF THE CHAIRMAN/JO TO FILE AN APPEAL WITH THE CHAIRMAN OF THE DISCIPLINARY PANEL C/O THE DISCIPLINARY OFFICER – CLAUSE 2.6.4. APPEAL TO BE EMAILED TO [disciplinary@sixnationsrugby.com](mailto:disciplinary@sixnationsrugby.com).