

DISCIPLINARY DECISION



Match	France v Wales		
Player's Union	Federation Francaise de Rugby	Competition	Six Nations
Date of Match	31 January 2025	Match venue	Stade de France
Applicable rules	2025 SIX NATIONS DISCIPLINARY AND ANTI-DOPING RULES World Rugby's Regulations		

PARTICULARS OF OFFENCE			
Player's Surname	Ntamack	Player's Forename(s)	Romain
Player's Date of birth	1 May 1999	Referee's Name	Paul Williams
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	Breach of law 9.13 of the laws of the game	SELECT: Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/> If "Other" selected, please specify:	
Summary of sanction	3 weeks, or 2 weeks in the event that the Player successfully completes World Rugby's Coaching Intervention Programme following an application to participate in the Programme being granted).		

HEARING DETAILS			
Hearing date	5 February 2025 (all parties) 10 February 2025 (Disciplinary Committee only)	Hearing venue	Zoom call
Chairman/JO	Stephen Hardy, Australia		
Other members of Disciplinary Committee	John Langford, ex-Player, Australia Donal Courtney, ex-Referee, Ireland		
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)	Northridge Law	Disciplinary Officer and/or other attendees	<ul style="list-style-type: none"> • Tom Price, Disciplinary Officer, Six Nations • Raphael Ibañez (Team Manager, FFR) • Edward Reay-Jones (Head of Legal Affairs and Compliance FFR)

<p>List of documents/ materials provided to Player in advance of hearing</p>	<ul style="list-style-type: none"> • Referee Report – Paul Williams • Television Match Official Report – Brett Cronan • Foul Play Review Officer – Damon Murphy • Statement – Ben Thomas, Wales #10 • Statement – Dr Geoff Davies, Wales, Team Doctor • Written submissions from Northridge LLP on behalf of the Player • Player's Statement • Player's Disciplinary Schedule • Player's Playing Schedule • Correspondence concerning the Player's Playing Schedule between Six Nations and Northridge LLP <p>* Following the hearing, material concerning the <i>Gilchrist</i> case was shared with all parties.</p> <p>In addition, FFR was granted leave to make further submissions and evidence on behalf of the Player to address the Disciplinary Committee as to whether Toulouse's match on 16 February 2025 versus Clermont should count towards the Player's period of suspension. The Player was content for that material to be considered by the Disciplinary Committee "<i>on the papers</i>" without the need for a further hearing to take oral submissions. The Disciplinary Committee considered that material, and determined that issue "<i>on the papers</i>" on 10 February 2025.</p>
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SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE

The Referee's Report is in these terms:

"Head contact, foul play as player upright, high degree of danger, no mitigation as always illegal no wrap."

The FPRO Report on an ordering off : Red Card states:

"The French #10 player's shoulder made direct contact with the head of the Welsh player. The tackle was highly dangerous, with no mitigating factors. The French player was always illegal."

The footage of the incident identifies the Player's shoulder making direct contact with the head of the Welsh player, with force and no mitigation.

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

Medical evidence received was as follows.

From Ben Thomas, 10 Wales:

"In relation not the red card incident on Friday January 31st in the France v Wales Six Nations match my recollection is as I put a kick through I felt a blow to the head from France 10."

From Dr Geoff Davies, WRU Team Doctor, Consultant SEM Physician:

"I attended to our player, red 10, who appeared to be in distress having taken a heavy blow to his nose following a challenge from an opponent. He was bleeding from both nostrils and clinically this was consistent with a nasal fracture. He was clearly in significant pain but he had no concussion symptoms or signs. I arrested the bleeding using nasal tampons into each nostril and ultimately he returned to play.

Post-match assessment in the changing rooms revealed his nose to be deviated to the right consistent with a nasal fracture. I manipulated his nasal bones into a more normal anatomical alignment. He will require regular analgesia for the next 48-72 hours."

SUMMARY OF PLAYER'S EVIDENCE

The Player's evidence and submissions were as follows.

- the Player accepted he was the Player shown the red card;
- the Player accepted as true and accurate the summary descriptions of the incident in the Official Reports; and
- the Player accepts the incident was an act of Foul Play under 9.13 which warranted a red card;

The Player's recollection of the incident was set out as follows:

- In the 70 th minute, France was leading 38-0 (and went on to win 43-0). Wales was in possession and carried the ball into contact on the halfway line where a ruck was formed.
- The Player was in the France defensive line behind the ruck. Wales #9 (Tomos Williams) kicked the ball from the base of the ruck over the top of France's defensive line.
- The Player turned and retreated and tried to anticipate where the ball was going to land, expecting to tackle whichever Wales player caught the ball. The Player was moving at speed. The Player was the quickest in the France defensive line to retreat once Wales #9 kicked the ball which is why the Player ended up being closest to Wales #10 when he caught the ball.
- Wales #10 caught the ball just before the 10 metre line and about two metres from where the Player was at the time. When he caught the ball, the Player wanted to close the space and tackle Wales #10. The Player had not seen that France #22 (Nolann Le Garrec) was approaching from the back field (behind the Player and in front of Wales #10) and so the Player was not expecting that Wales #10 might put in a low kick on the ball to avoid his oncoming teammate.
- After taking a few steps, Wales #10 turned slightly to his right (towards the Player) and kicked the ball behind him. In the act of kicking the ball, Wales #10's body height dropped slightly.
- As soon as Wales #10 kicked the ball the Player became conscious not to tackle a player without the ball. However, the Player was already very close to him and running at speed. In that moment the Player felt that he did not have enough time or space to avoid the contact, and so instead of adopting his usual tackle position, which would be a low body position and arms out attempting to wrap, the Player attempted to protect his own body by turning to the right and keeping his right arm to his side. Unfortunately, this led to an unintentional tackle on Wales #10 with direct contact between the Player's shoulder and Wales #10's head.
- In the next break in play the TMO alerted the referee to review the incident, and footage was shown on the big screen. The Player was shown a yellow card by the referee who referred the decision to the bunker for review.
- The Foul Play Review Officer reviewed the footage in the bunker and determined that the yellow card should be upgraded to a red card. The Player accepts that decision.
- Once Wales #10 kicked the ball the Player did not have time to avoid the contact and in trying to protect himself, he tackled Wales #10 and made direct contact with his head.
- The Player acknowledges and accepts that, although the contact was accidental on his part, it was reckless because of the dynamics of the play.
- The Player stressed that he would never wish to hurt an opponent and he deeply regrets that the incident caused injury to Wales #10's nose. The Player was glad that Wales #10 was able to continue playing and finish the match, and that he has been named in the Wales squad for the next round.

FINDINGS OF FACT

Having considered all available evidence, the Disciplinary Committee found that:

- the Player committed an act of foul play (in breach of law 9.13) in that the Player made direct contact with the head of the Wales 10 using his shoulder;
- there was a high degree of danger in that there was direct shoulder to head contact, the Player leading with his shoulder; and
- there was no mitigation.

A red card was an appropriate on-field sanction.

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 2025 Disciplinary and Anti-Doping Rules, which form Schedule Four of the 2025 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 Disciplinary Committee accepts the Player's evidence and submissions that the incident occurred through reckless (rather than intentional) conduct by the Player.	
Nature of actions – clause 2.5.89 (c)	
The nature of the Player's actions was the Player's shoulder making direct contact with the head of the Welsh player, with force and no mitigation.	
Existence of provocation – clause 2.5.89 (d)	
There is no evidence of the existence of provocation.	
Whether Player retaliated – clause 2.5.89 (e)	
There is no evidence of retaliation.	
Self-defence – clause 2.5.89 (f)	
There is no evidence that the contact occurred through self-defence.	
Effect on victim – clause 2.5.89 (g)	
The medical evidence establishes that the victim player sustained a nasal fracture.	

Effect on match – clause 2.5.89 (h)
The incident had no material effect on the match.
Vulnerability of victim – clause 2.5.89 (i)
The victim player (Wales #10) was in a vulnerable position having just kicked the ball, before contact with the head was made.
Level of participation/premeditation – clause 2.5.89 (j)
There is no evidence of premeditation.
Conduct completed/attempted – clause 2.5.89 (k)
The Player's conduct was completed.
Other features of Player's conduct – clause 2.5.89 (l)
n/a

ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point					
<u>Top end*</u>	<u>Weeks/matches</u>	<u>Mid-range</u>	<u>Weeks/matches</u>	<u>Lower end</u>	<u>Weeks/matches</u>
<input type="checkbox"/>		<input checked="" type="checkbox"/>	6 weeks	<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
n/a

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)
<p>The Player acknowledged foul play at the earliest possible opportunity – both on and off field.</p> <p>The Player pleaded guilty to foul play at the first available opportunity, did not challenge the red card and accepted the official's decision.</p>	<p>The evidence before the Disciplinary Committee was that the Player has an otherwise clean disciplinary record. The Disciplinary Committee was informed that this was the Player's first red card.</p>

Youth and/or inexperience of Player – clause 2.5.91 (c)	Conduct prior to and at hearing – clause 2.5.91 (d)
The Player gave evidence that he is a senior member of the French team and is a very experienced player.	The Player's conduct prior to and at the hearing was exemplary. The Player made concessions, admitted wrong doing and showed regret that Wales #10 was injured as a result of the incident.
Remorse (and timing if remorse) – clause 2.5.91 (e)	Other off-field mitigation – clause 2.5.91 (f)
The Player was very remorseful for his conduct. The Player gave evidence that he would never wish to hurt an opponent and that he deeply regrets the incident caused injury to Wales #10's nose. The Player gave evidence of contact he had made with Wales #10 to apologise for the incident, and the response from Wales #10 accepting that apology. This was both in person, and through Instagram. There was also evidence provided of an apology to Wales #11.	n/a

Number of weeks/matches deducted:

Summary of reason for number of weeks/matches deducted: <ul style="list-style-type: none"> • acknowledgement of foul play; • remorse; • prior disciplinary record; and • conduct during the hearing.
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RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status as an offender of the Laws of the Game – clause 2.5.94 (a)
The Player was not found to be an offender of the Laws of the Game.
Need for deterrence – clause 2.5.94 (b)
No need for deterrence was identified.
Any other off-field aggravating factors – clause 2.5.94 (c)
None.


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	<p>3 weeks.</p> <p>The Player sought, and was granted leave, to apply for the World Rugby Coaching Intervention Programme (the Programme).</p> <p>The Sanction would be reduced by 1 week in the event that the Player successfully completes the Programme following an application to participate in the Programme being granted.</p>	Sending off sufficient <input type="checkbox"/>
Sanction commences	1 February 2025	
Sanction concludes	End of 8 March 2025 or, in the event that the Player successfully completes the Programme following an application to participate in the Programme being granted, end of 23 February 2025.	
Matches/tournaments included in sanction	<ul style="list-style-type: none"> England v France (6 Nations) Italy v France (6 Nations) Ireland v France (6 Nations). <p>However, in the event that the Player successfully completes the Programme following an application to participate in the Programme being granted, the Ireland v France (6 Nations) fixture will be excluded from the sanction.</p> <p>** See further decision and reasons on matches included in sanction below.</p>	

Costs	No orders as to costs.
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Signature (JO or Chairman)	 Stephen Hardy	Date	11 February 2025
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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.

****Fixtures included within the sanction**

During the hearing, an issue arose as to whether the Top 14 (LNR) fixture (Clermont v Toulouse (16 February 2025) (the **Clermont Fixture**)) should be included within the sanction.

Regulation 2.5.101 provides that:

2.5.101 In determining the length of any period of suspension, the Disciplinary Committee will take into consideration all playing consequences of such a suspension and:

(a) include those weeks in which the Player is (but for any suspension) fit, available and expected to play in a Meaningful Match; and

(b) exclude those weeks in which the Player is not fit, available and expected to play in a Meaningful Match. (emphasis added)

The Explanatory Notes that follow state that:

1. In each case the burden will be on the Player to demonstrate that he/she is (but for any suspension) fit, available and expected to play in a Meaningful Match in the relevant week. (emphasis added)

2. If the Player is (but for any suspension) fit, available and expected to play in more than one Meaningful Match in a week, that week will count as only one week towards any suspension unless the rules applicable to the relevant Meaningful Matches provide for suspensions to be served in terms of matches and not weeks.

3. Subject to clause 6 of this note, below, where it is not clear whether or not a Meaningful Match will be relevant for the purposes of the Player's suspension (for example, because it is in the latter stages of a knock-out competition and the Player's team has not yet qualified), the Disciplinary Committee will, ordinarily, using the best available information, determine whether or not it is to be included, but may at its discretion determine alternative periods of suspension to take account of the different permutations. (emphasis added)

For the reasons that follow the Disciplinary Committee unanimously held that the Clermont Fixture should not be included within the sanction.

The Disciplinary Committee are also of the view that the Toulouse v Vannes fixture on 1 March 2025 would also not apply in the event that the Player did not successfully complete the Programme.

Our summary of reasons follow.

The key submissions made on behalf of the Player in support of including the Clermont Game into the sanction were as follows:

1. *Mr Ntamack accepts that he has the burden of showing (on the balance of probabilities) that he is fit, available and expected to play in the Clermont Game. The question turns on whether FFR would have “designated” Mr Ntamack for rest after Six Nations match week 2 (which, at the time of the Disciplinary Committee hearing, had not been played) or would have released him back to his club, per the terms of the FFR / LNR Agreement.*
2. *It is a quirk of the Six Nations that there are two fallow weeks where players can be released back to their clubs. Establishing that a player was “expected to play” for his club in the first fallow week is very difficult in the context of red cards / citations following Six Nations match week 1 fixtures. The biggest variable – performance in match week 2 – is not yet known, and without that information France Men’s Head Coach cannot say definitively (nor is he required to say under the terms of the FFR / LNR Agreement) whether after match week 1 a player would have been designated for the first fallow week. The “expected to play” wording requires a great deal of speculation in the context of a Six Nations match week 1 fixture so far as it concerns France players (Mr Ntamack / FFR does not know the precise arrangements in place for other nations).*
3. *It is noted that, of the “fallow week” cases summarised for the Disciplinary Committee in Gilchrist (2023), only one (O’Mahony (2021)) arose from a Six Nations match week 1 fixture. Since then, there has been the Willemse (2024) case. These two cases have opposing outcomes: O’Mahony’s club matches were not counted towards his suspension, Willemse’s club matches were counted towards his suspension.*
4. *Mr Ntamack has collated the following information to assist the Disciplinary Committee (i.e., the “best available information”):*
 1. *Witness statement of Fabien Galthié. Mr Galthié explains the terms of the FFR / LNR Agreement, his approach to designation of Mr Ntamack and other fly-halves during the 2023 and 2024 Six Nations, the FFR’s position in the cases of Atonio (2023), Haouas (2023), Willemse (2024) and Danty (2024), and the factors that Mr Galthié would have taken into consideration if he had the opportunity to designate Mr Ntamack after the England game. **Mr Galthié’s conclusion is that, whilst it may seem natural to designate Mr Ntamack, he cannot be certain that he would have done so due to other factors including the amount of playing time that Mr Ntamack has missed in the past two seasons and that the Wales game was not a good indicator of Mr Ntamack’s current form (and, in any event, Mr Galthié would have still waited to see Mr Ntamack’s performance in match week 2 to make that decision).** (Disciplinary Committee emphasis)*
 2. *A spreadsheet containing the following data for France players in the Six Nations 2023 and 2024 (the FFR / LNR Agreement did not cover the Six Nations 2022 and so that data is not included): name, position, age, caps, matches played, injuries sustained, decision on designation for each of the two fallow weeks. Mr Ntamack’s position on this data is it is just that – data. It requires context and it is not determinative of how a future decision would be made on designation in respect of any player or type of player.*

3. A PDF document containing:

1. The relevant FFR/LNR agreements. Non-relevant sections have been redacted.

2. The playing schedules, and Disciplinary Committee decisions, in respect of Atonio (2023), Haouas (2023), Willemse (2024) and Danty (2024).

3. A letter from Toulouse dated 5 February 2025 confirming that it would have wished Mr Ntamack to play in the Clermont Game if he was not designated.

Decision

The Disciplinary Committee had regard to all material put before it by the Player (and Six Nations) in relation to this issue.

The Player was afforded the opportunity by the Disciplinary Committee to lead more evidence, and make further submissions (in writing and/or orally), on this important issue.

The issue was initially raised as a concern by the Disciplinary Committee at the original hearing of the matter.

All relevant evidence, submissions and cases referred to, while not specifically detailed in this decision, were considered by the Disciplinary Committee.

The Disciplinary Committee accepts that the "data" and cases referenced upon are not, in and of themselves, determinative of how a future decision would be made on designation in respect of any player or type of player and that individual facts and circumstances must be considered. The Disciplinary Committee has done so with respect to the facts and circumstances of the Player.

The Disciplinary Committee notes that it is the burden of the Player to demonstrate he was fit, available and expected to play in a Meaningful Match in the relevant week.

Having regard to all of the evidence before the Disciplinary Committee, the Player has not discharged this burden.

While it is accepted that the Clermont Game is a Meaningful Match, there is no direct evidence confirming that the Player was fit, available and expected to play in that match. There is also no direct evidence confirming that the Player would have been fit, available and expected to play in the Toulouse v Vannes fixture on 1 March 2025 would also not apply in the event that the Player did not successfully complete the Programme.

The highest the evidence relied upon by the Player gets from the relevant decision maker (and witness), Mr Fabien Galthie, who has "*ultimate responsibility*" to determine which France players are allowed to play for their clubs during the Six Nations tournament, is that:

- "*My position with respect to Mr Ntamack is that I had not yet decided which players were to be designated for the first fallow week and would have reserved my final judgment until after the England game on 8 February 2025*" (see 25)
- "*Mr Ntamack is an exceptional fly-half with 38 caps for France. It is very likely that I would have selected him to play against England on 8 February 2025.*" (see 26.1)
- "*Typically, I will designate the best available players in the squad having regard to how many matches they have played so far and the importance of the upcoming matches and any tactical considerations for those next matches*" (see 26.2)

- *"there can occasionally be a balance to be struck between designating a player and protecting them from fatigue and potential injury, versus not designating a player and allowing them to play for their club so that they can continue to develop physical fitness and mental sharpness.... flyhalves, in particular, need regular game time to maintain (or regain) their talents for reading the pitch and managing the flow of the game (see 26.3)*
- *"with two very difficult games (versus Ireland then Scotland) to finish the Six Nations 2025, and potentially decide the winner, Mr Ntamack **may have** benefited from further game time for Toulouse against high quality opposition (Clermont)." (emphasis) (see 26.5)*
- *"In 2023 Six Nations Tournament, Mr Ntamack started all five fixtures and was designated for both fallow weeks." (see 15.1)*
- *"Ultimately, I accept that Mr Ntamack at his best is a very important and influential player for France, he was designated in the Six Nations 2023, and he might seem an obvious choice for designation in this tournament." (see 27)*
- *"However, Mr Ntamack has also missed a significant amount of rugby through injury over the past two seasons and it is difficult for me to assess his current level of performance at international level based on just the Wales game." (see 27)*
- *"My decision to designate Mr Ntamack for the first fallow week, or to make him available to Toulouse, would have been influenced by Mr Ntamack's performance versus England on 8 February 2025, as it is the case for all players." (27)*
- *"It is therefore difficult to be categorical after the first game in the tournament as to which players are ultimately to be designated, such decision being made, in so far as the first fallow week is concerned, after the second game" (27).*

The Disciplinary Committee notes that this evidence was provided by Mr Galtie on 9 February 2025, following the France v England game.

Having regard to this evidence, and the prior decisions, the Disciplinary Committee is not satisfied that, when having regard to the specific circumstances of the Player, that the Player would have been fit, available and expected to play in the Clermont fixture. The Player has not discharged the burden of *to demonstrate that he is (but for any suspension) fit, available and expected to play in a Meaningful Match in the relevant week*. Indeed, on the evidence before the Disciplinary Committee he "may" have been available. But he also may not have. And, the key decision maker who is ultimately responsible for determining which players are allowed to play for their clubs, is still not certain that the Player would have been so permitted.

In those circumstances, it is the decision of the Disciplinary Committee that the Clermont fixture not be included within the sanction.

For completeness, the Disciplinary Committee notes that there is also no evidence to confirm that the Player would have been fit, available and expected to play in the Toulouse v Vannes fixture on 1 March 2025 in the event that the Player did not successfully complete the Programme. As such, in the event that the Player did not successfully complete the Programme, the Toulouse v Vannes fixture on 1 March 2025 would also not be included in the sanction imposed on the Player by the Disciplinary Committee.