

## DISCIPLINARY DECISION



Match	Belgium v Brazil		
Competition	RWC27 FQT		
Date of match	13 November 2025	Match venue	The Sevens 2, Dubai
Applicable rules	Regulation 17 World Rugby Handbook; or Tournament Disciplinary Programme		

### PARTICULARS OF OFFENCE

Player's surname	Berguet	Player's forename(s)	Charles-Henri
Player's Union	Belgium	Date of birth	13 January 2000
Referee's name	Eoghan Cross		
Foul Play	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted	Red card warranted	<input type="checkbox"/> Admitted <input checked="" type="checkbox"/> Not admitted
Offence	Red Card was for breach Law 9.11 (a player must not do anything that is reckless or dangerous to others).  Amended to Law 9.12 (a player must not physically abuse anyone. Physical abuse includes...kicking). Amended pursuant to WR Reg17.26.2	SELECT:    Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/>  If "Other" selected, please specify:	
Summary of Sanction	4 matches – so suspended from all rugby up and including 13 December 2025.		

### HEARING DETAILS

Hearing date	16 November 2025	Hearing venue	Remote video/audio
Chairman/JO	Nigel Hampton KC (New Zealand)		
Other Members of Disciplinary Committee	Ofisa Tonu'u (former New Zealand international player) Jamie Corsi (former Wales international player)		
Appearance Player	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Appearance Union	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Player's Representative(s)	Laurent Dossat, Head Coach Michiel Leysen (President Belgium Rugby) Kristof Vanhout (Co-CEO Belgium Rugby)	Disciplinary Officer and/or other attendees	Brian Hammond (WR)

	Thibaut Andre (Co-CEO Belgium Rugby)		
List of documents/materials provided to Player in advance of hearing	Red Card Report 2 photos of opponent's left side of neck 1 primary and 3 supplementary video clips Video clip of handshake and apology after the match		

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/INCIDENT FOOTAGE
<p>At the 52<sup>nd</sup> minute of the match, a Red Card was issued against the Player for a breach of Law 9.11 (reckless or dangerous action):</p> <p>"Following a review from the TMO, it was established that the player intentionally kicked an opponent in the face on the ground, which was deliberate and highly dangerous. I then issued the player with a permanent red card."</p>

ESSENTIAL ELEMENTS OF OTHER EVIDENCE (e.g. medical reports)
<p>From video clips:</p> <p>The Player, having received the ball from his scrum half as the first runner off a ruck, moved the ball on quickly to the man outside him (#10). The opponent (Brazil #16) had been preparing to make a front on tackle on the Player and was in a good low body position to do so, but continued to make the tackle even although the ball had left the hands of the Player.</p> <p>The tackler's initial contact on the Player was to the outside of his right leg, the Player then having turned side on to the tackler as he had pivoted that way as he made his pass to #10. The Player was brought to the ground as the tackler slid downwards on the Player's legs, ending up around, and holding, his ankles.</p> <p>By then the ball had been passed on and the tackle was late.</p> <p>The Player ended up with his front of body towards the ground, both hands on the ground and with both feet on the ground, with the tackler's hands initially still on or around the Player's ankles.</p> <p>The Committee observes that with both hands on the ground and with both feet on the ground, the Player was in a position to stand up, by drawing his feet forward and pushing up from his hands, if his legs had been free to be moved.</p> <p>With his left foot on the ground, the Player with his right foot now freed and without looking behind him, lifted the right foot some height off the ground and at the same time propelled that foot, with the sole and studs leading, in the direction of the opponent, making contact with the left side of the opponent's neck.</p> <p>The opponent is seen to clutch at that area of his neck; whilst the Player replaces his right foot on the ground (the left foot had stayed on the ground) and stands up and resumes play.</p> <p>The photographs of the opponent's neck show some abrasions to the side of the neck, lower down the neck towards the shoulder area, consistent with stud marks. No other injury appears to have been sustained.</p>

### SUMMARY OF PLAYER'S EVIDENCE

The Player's written explanation follows verbatim:

*"1. I was tackled from behind and held by the Brazil player despite no longer being in possession of the ball.*

*2. My sole intention was to return to play as quickly as possible, and my immediate reaction was to free my legs from his grip.*

*3. I had no visibility of the opponent's body position, and therefore no deliberate or reckless intention to make contact with him.*

*4. Immediately after the match, I approached the opponent to apologise. His words, as well as the handshake and the embrace we exchanged, made it very clear that he viewed the incident as part of normal play and not as foul play (refer to video attached).*

*5. Since I started playing rugby, I have never received a red card.*

*For these reasons, I respectfully submit that my action does not meet the threshold for a red card, and I humbly ask to be allowed to participate on Tuesday in what is the most important match of my rugby career."*

He was examined by the Committee members on this account, particularly on his points 1-3 inclusive. Under that examination he candidly told the Committee that he was ashamed that he had reacted in the way that he had and that he had *"reacted the wrong way"* in trying to get himself released from being held by his ankles as quickly as possible. He said that he had no intent to injure or hurt the opponent but just wanted to be let go.

He told the Committee that there was no excuse for acting in the way that he did and that he should not have done so.

### FINDINGS OF FACT

The matters already set out in the sections above as to what can be seen in the video clips and the Player's evidence suffice to set out the Committee's conclusions. The Committee did not accept the Player's contentions in his point 3 above – the kicking action by him was deliberately made and made recklessly as to the potential consequences which could (and did) follow.

In the end, it matters not that the opponent's tackle was late; frustrated reactions cannot be countenanced or allowed; especially when a reaction is performed by a kick which makes contact onto an unprotected neck. Fortunately, no serious injury resulted, which may speak to the extent of actual force involved.

On the balance of probabilities, the Committee finds that this was an intentional kicking out by the Player in the direction of where there was a known opponent, carrying with it the very real risk, if not certainty as it turned out, that contact would be made with the opponent. In his own words his action taken, in kicking up and back, *"was to free my legs from his grip."* And that action constituted physical abuse of an opponent.

The Player knew (and effectively acknowledged this in his evidence when being questioned by the Committee) that there was a real risk of the sort of contact which did occur, but in his heated (over)reaction took that risk anyway.

## DECISION

### DECISIONS:

1. The Player accepts that there was foul play but disputed that a Red Card was warranted.
2. By a combination of WR Reg. 17.15.3 and 17.16.1(b) the Player had the onus to show that the Referee was wrong to issue a Red Card and that this Committee must not make a finding contrary to the Referee's decision unless the Committee was satisfied on the balance of probabilities that the Referee's decision was wrong.
3. The Player has not satisfied the onus upon him; on the contrary this Committee is adamantly of the view that **the Referee's decision was the correct one** and the only one that could have been made in these circumstances.
4. However, the Referee, having concluded that the Player's action was an intentional kick, should have considered the Player's foul play as being a breach of Law 9.12 (physical abuse by kicking) rather than a breach of Law 9.11 (a reckless or dangerous action).
5. The Committee discussed this with the Player and **determined that amending the alleged foul play offence to one of physical abuse by kicking (Law 9.12) could be made** by it without causing injustice (pursuant to WR Reg. 17.26.2), prior notice having been given to the Player and submissions heard on his behalf. An intentional kick was, and at all times remained, the fundamental factual allegation leading to the Red Card. Nothing changed in that regard; the same basis remained. A charge more appropriate was substituted.
6. **On that amended charge the Committee upheld the Red Card** – it was warranted for an intentional kick, carried out with recklessness as to the nearness of his opponent, and that opponent's head and neck, and the possible consequences.

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

## SANCTIONING PROCESS

## ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 17.18.1(a)-(b) (or equivalent Tournament rule)	
Intentional <input checked="" type="checkbox"/>	Reckless <input checked="" type="checkbox"/>
State Reasons	
Intentional kick directed back towards an opponent and reckless as to contact and potential consequences.	
Nature of actions – R 17.18.1(c) (or equivalent Tournament rule)	
With boot.	
Existence of provocation – R 17.18.1(d) (or equivalent Tournament rule)	
N A	
Whether player retaliated – R 17.18.1(e) (or equivalent Tournament rule)	
N A	

Self-defence – R 17.18.1(f) (or equivalent Tournament rule)
N A
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)
Abrasions to neck.
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)
N A
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)
Into area of unprotected neck. That contact with the neck meant that the resultant sanction should be at least mid-range.
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)
Intentional – and reckless as to potential contact and consequences.
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)
Completed.
Other features of player's conduct – R 17.18.1(l) (or equivalent Tournament rule)
A heat of moment choice made to kick out – whether to achieve his release or out of frustration or a combination of both.

### ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point (select entry point and indicate n° of weeks/matches starting point)		
<input type="checkbox"/>	Mid-range X <input type="checkbox"/>	<input type="checkbox"/>
N° of Weeks/Matches	N° of Weeks/Matches 8	N° Weeks/Matches

\*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 commission of foul play – R 17.19.1(a) (or equivalent Tournament rule)	Player's disciplinary record – R 17.19.1(b) (or equivalent Tournament rule)
Acknowledged at hearing – and candidly admitted to reacting the wrong way; and felt full of shame.	Clear record from more than 10 years playing the game.

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)
25-year-old	Impeccable and impressive.
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)
Apology made at end of match, ASAP – and accepted by opponent. Sincere remorse expressed in his evidence.	

Number of weeks/matches deducted

4

Summary of reason for number of weeks/matches deducted:

Good record, character and conduct; genuine remorse; candid admissions at the hearing during evidence.

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

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	4 matches	Sending off sufficient	<input type="checkbox"/>
Sanction commences	13 November 2025		
Sanction concludes	Up to and including 13 December 2025		
Matches/tournaments included in sanction	Belgium v Samoa (FQT final), 18/11/25; Vannes v Agen, 29/11/25; Carcassonne v Vannes, 05/12/25; Vannes v Biarritz, 13/12/25.		
Costs	N A		

Signature (JO or Chairman)	Nigel Hampton KC	Date	16 November 2025
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**NOTE:** YOU HAVE **48 HOURS (15s) / 24 HOURS (7s)** FROM NOTIFICATION OF THE DECISION OF THE CHAIRMAN/JO TO LODGE AN APPEAL WITH THE TOURNAMENT DIRECTOR – R 17.24.2(a) / R 17.38.1 (or equivalent Tournament rule)