

DISCIPLINARY DECISION



Match	Edinburgh v Benetton		
Player's Club	Benetton	Competition	United Rugby Championship
Date of match	17/10/2025	Match venue	Hive Stadium
Rules to apply	United Rugby Championship 2025/26 Disciplinary Rules		

PARTICULARS OF OFFENCE			
Player's surname	Fekitoa	("the Player")	
Forename(s)	Malakai		
Referee Name	Ben Breakspear (WRU)	Plea	<input checked="" type="checkbox"/> Admitted <input type="checkbox"/> Not admitted
Offence	<p><i>Law 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.</i></p>	<p>SELECT: Red card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other <input type="checkbox"/></p> <p>If "Other" selected, please specify:</p>	
Summary of Sanction	3 weeks, which may be reduced to 2 weeks upon successful completion of the World Rugby Coaching Intervention Programme		

HEARING DETAILS			
Hearing date	24/10/2025	Hearing venue	Zoom Videoconference
Chair	Ben Rutherford (Ireland)		
Other Members of Disciplinary Committee	Stefan Terblanche (South Africa – ex-international player) Neil Snellenburg SC (South Africa)		
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)	Calum MacRae (Head Coach)	Disciplinary Officer and/or other attendees	Jude Canniffe, URC Tournament Manager
List of documents/materials provided to Player in advance of hearing	<p><u>Documents/materials provided to the Player by URC:</u></p> <ul style="list-style-type: none"> • Report of Citing Commissioner, Alexandra Logan (SRU) • Report of Referee, Ben Breakspear (WRU) • Reports of TMO and Assistant Referees • Letter from Amy Monaghan, URC Disciplinary Officer, containing the Standing Directions dated 23 October 2024 • Statement of Cammy (Cameron) Scott, Edinburgh #10 • Report of Andrew Hay, Head Physiotherapist & Clinical Lead, Edinburgh Rugby • 3 x Video files at full speed, 50% speed and 25% speed with 9 angles <p><u>Documents/materials filed by the Player:</u></p> <ul style="list-style-type: none"> • Player response to standing directions filed on 23 October 2024 • Player's schedule and disciplinary record 		

Citing Commissioner Alexandra Logan stated:

"The ball is loose following a clearing kick from Benetton 9. Edinburgh 8 collected the ball and passed to Edinburgh 10. Edinburgh 10 reaches for the ball and bats the ball onwards to his team. Following this throw Benetton 12 makes a late tackle where his shoulder makes direct contact with Edinburgh 10 head. This contact was considered to be of high danger: following this incident Edinburgh 10 was called from the field for a HIA.

Subsequent post-match discussions with the match doctor revealed Edinburgh 10 had failed his HIA and this was the reason he did not return to play.

It is considered that there is no mitigation for the following reasons:

- *Benetton 12 is upright as he stepped into contact and drives upward.*
- *Neither of his arms are in a position to either tackle or intercept the ball as his right arm is tucked close to his body with a clenched fist as he makes contact.*
- *Benetton 12 has direct line of sight of Edinburgh 10 and has time to adjust his position prior to contact.*

The camera angle 7FR shows Benetton 12 looking directly at Edinburgh 10 prior to contact (clip 19_49_17_M01_EDN_BEN_12_YC).

It is my opinion that the tackle meets the red card threshold."

A still image from Camera 7FR prior to contact as referred to by the Citing Commissioner is below:



Referee Ben Breakspear stated:

"Following a box kick exit by Benetton, the ball is loose midfield, it is then passed towards Edinburgh 10 where he bats the ball out (one handed) to his teammate. Play continues in to the wide channel where I subsequently penalize Edinburgh for going off feet at the breakdown. Shortly after, my TMO (Aled Griffiths) brings to my attention a no arms tackle by Benetton #12 on Edinburgh #10 back on the halfway line, prior to my off feet penalty. Due to my positioning on the field, I was unsighted to this incident live. The report from Aled recommended that it's a shoulder on shoulder no arms tackle and that it can be deemed a penalty kick. I then relay this information to both team captains and take Aled's

recommendation to restart the game with a PK to Edinburgh. When giving the mark for the penalty I get to see an informal replay of the incident on the screen. Reminded myself that I had given a warning to Benetton for dangerous tackles and as a combined result of these actions, I issue a YC to #12 Benetton.” [sic] TMO Aled Griffiths provided a statement in similar terms.

In addition to Camera 7 FR Corner referred to by the Citing Commissioner, the Committee also found the following angles (from which stills have been reproduced here for reference purposes) instructive:

- Dirty TX (this still is taken from the moment that the ball is tapped on), as to distance/ability to adjust, clear line of sight and high speed of approach:



- 7 FR Corner and 2 Tight, as to point of contact and height/uprightness:





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

Edinburgh #10's evidence was:

"The ball came loose, and I moved to tip the ball on. The opposition player was lining up to tackle me and after I had completed the pass he then continued with his movement forward and shoulder made contact to my head with force. I was checked over by our medical team and played on for the next passage of play before being removed for a HIA which I subsequently failed. I have passed HIAs following this."

Andrew Hay, Head Physiotherapist and Clinical Lead at Edinburgh Rugby reported:

"I can confirm that Cameron Scott underwent a Head Injury Assessment as a result of the yellow card contact on Friday evening. He failed his HIA 1 meaning he did not return to the pitch but has subsequently passed his HIA 2 and 3."

SUMMARY OF PLAYER'S EVIDENCE

The Player said in his written statement prior to the hearing:

"My action was never intended to harm my opponent; it was a delayed and uncontrolled reaction to a loose pass. As I closed the space quickly between us to tackle my opponent, he tapped the ball on. My automatic reaction was not to tackle him but continued on my initial line of approach toward the ball and I found myself in a poor brace position prior to contact. I accept what can be seen in the slow-motion images appears reckless, but my ultimate intention is never to do anything illegal, as I didn't accelerate further. I'm also sorry for the Edinburgh player that has been removed from the pitch for HIA test."

In the hearing the Player added that he was “committed to the tackle” but that as he “got closer, he [Edinburgh #10] ended up tapping the ball” and “decided to shut it down”. He added that he “couldn’t control when [he] went towards him [Edinburgh #10], decided not to tackle him [as the ball had been tapped on] and braced for contact and turned to follow the ball straight after.” He confirmed he had “never seen his [Edinburgh #10’s] head or intended to do something, to hurt the guy.”

Calum MacRae on behalf of the Player explained how the Player is coached to react in transition situations such as this off a kick. He explained that the pass from Edinburgh’s No. 8 was a 50/50, which was supported by Edinburgh #10 only being able to tap it with one hand, and the Player had read that as he is coached to do and adjusted to try to make a play on the ball and/or the man (had Edinburgh #10 caught the ball). While rightly accepting the citing was properly made out, Mr MacRae took issue with two elements of the bullet points in the citing report. He asserted that the Player did not drive upwards before contact (rather the contact pushed him upwards after) and that the Player’s tucked arm with closed fist is a normal bracing position of tightening the body preparing for contact (having decided not to effect a tackle due to the paddling on of the ball and realising there would instead be a collision).

FINDINGS OF FACT

The Committee made the following findings of fact:

- There was forceful contact between the Player’s right shoulder while running at pace and Edinburgh #10’s head. The Committee found this was more likely than not direct contact.
- As accepted by the Player, this was an act of Foul Play in breach of Law 9.13 and met the red card threshold.
- In view of all of the evidence, the Committee found that the Player had time and a clear line of sight had he wished to avoid the late contact but proceeded on, still at high pace, in an upright position with his shoulder/arm braced with no attempt to wrap.
- The Committee accepted that he braced himself for contact (which could be either an offensive or defensive positioning depending on the context) but that he had other options available to him to avoid such illegal contact. We also accepted Edinburgh #10 was in an unusual position due to the loose, floated pass from his no. 8 and that the Player may at one point have thought he could disrupt the catch of the ball. However, we did not agree the contact was a “*delayed and uncontrolled reaction to a loose pass*”. Rather, the Player was in control of his actions throughout and had the ‘power of choice’ as noted in the World Rugby High Contact Protocol. Those choices included attempting to step out of the way, starting to decelerate, ducking down to get below head height or any combination of the above to avoid or mitigate the impact of the late hit.
- The Committee accepted that the Player did not intend to hurt his opponent (or intentionally strike him in the head) but found the Player knew or should have known that this was a potential outcome in continuing at pace with a braced shoulder/arm while in an upright

position. We also noted that he accepted that he was aware the tackle would be late and suggested he had decided not to execute it but instead braced his shoulder/arm for contact. Contrary to Mr MacRae's submission, we considered there is some evidence of an upward motion prior to and during contact, not merely afterwards (particularly visible in the Camera 7 FR Corner angle).

DECISION

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

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status as an offender of the Laws of the Game – DR 7.6.32(a)

N/A

Need for deterrence – DR 7.6.32(b)

N/A

Any other off-field aggravating factors – DR 7.6.32(c)

N/A

Number of additional weeks:

0

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – DR 7.6.33(a)

The Player indicated in his response to the standard directions that he accepted he had committed an act of Foul Play contrary to Law 9.13.

Player's disciplinary record/good character – DR 7.6.33(b)

Almost unblemished over a 279 professional match career including 24 New Zealand caps and by his recollection 10 Tonga caps since switching to the nation of his birth, including the most recent Rugby World Cup. Over that period he has had a one match suspension, for a high tackle some nine years ago. Given the passage of time, the Committee were content to disregard this. The Player's character as a mentor to juniors at Benetton was noted.

Youth and inexperience of player – DR 7.6.33(c)	Conduct prior to and at hearing – DR 7.6.33(d)
N/A. The Player is 33 years of age and is an experienced professional rugby player.	The Player’s conduct was respectful and appropriate.
Remorse and timing of remorse – DR 7.6.33(e)	Other off-field mitigation – DR 7.6.33(f)
The Player expressed his remorse in his written statement and again at the hearing. Unfortunately, he was not aware that Edinburgh #10 had sustained a head injury until the citing arrived and so has not yet contacted him. However, Mr MacRae (who used to coach at Edinburgh) has his details and the Player confirmed he will now contact him to check on him and wish him well.	N/A

Number of weeks deducted:

3

Summary of reason for number of weeks deducted:

The Committee considered there to be compelling mitigating factors in the Player’s case, as set out above. The Committee noted the Player’s early acceptance, general good conduct and near-unblemished disciplinary record, with only a one-week sanction some nine years ago over a long and distinguished professional and international career. Therefore, in the circumstances of this case, the Committee considered it was fair and appropriate to reduce the sanction by the maximum 50% (i.e. three weeks) from the entry point on the basis of mitigating factors.

We note the Player sought a further week reduction on the basis of his successful acceptance for and completion of the “World Rugby Coaching Intervention Programme”. He did not undergo this in 2016 (as it did not exist at the time) and the Disciplinary Committee agreed it therefore was available to him and would be appropriate. If the Player successfully completes this programme (which is a matter for World Rugby/URC and not the Committee) then the third week of the suspension will be replaced by the programme.

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 (3) weeks* *to be reduced to two (2) weeks if the Player satisfactorily completes the Coaching Intervention Programme.	Sending off sufficient <input type="checkbox"/>
Sanction commences	24 October 2025 1600 UK/Irish time	
Sanction concludes	24 November 2025 0001 UK/Irish time* *or 17 November 2025 0001 UK/Irish time if the Player satisfactorily completes the Coaching Intervention Programme.	
Matches/tournaments included in sanction	URC – Benetton v DHL Stormers; 25 October 2025 Nov Tour – Scotland Emerging XV v Tonga; 15 November 2025 Nov Tour – Scotland v Tonga; 23 November 2025*	

Costs	N/A
-------	-----

Signature (Chair)		Date	26 October 2025
----------------------	---	------	-----------------

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 4-28)