



EPCR SHORT JUDGMENT FORM

Match	Toulouse	Vs	Lyon
Club's Country	France	Competition	European Rugby Challenge Cup
Date of match	07/12/2017	Match venue	Stade Ernest Wallon
Rules to apply	EPCR Disciplinary Rules 2017/18		

PARTICULARS OF OFFENCE

Player's surname	Rokoduru	Date of birth	21/01/1993
Forename(s)	Timilai	Plea	Admitted <input type="checkbox"/> Not Admitted <input checked="" type="checkbox"/>
Club name	Lyon	Referee/CC name	JP Doyle
SELECT: Red card <input checked="" type="checkbox"/>	Citing <input type="checkbox"/>	Other (specify) <input type="checkbox"/>	
Offence	10.4 (e)		
Summary of Sanction	7 Weeks	Insert number of weeks OR select No Sanction as appropriate	

HEARING DETAILS

Hearing date	13/12/2017	Hearing venue	Sofitel, London Heathrow and by Skype
Chairman/JO	Jean Noel Couraud (France)	Panel member 1	Frank Hadden (Scotland)
Panel member 2	Nigel Williams (Wales)	Disciplinary Officer	Liam McTiernan
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):

Other attendees:

Mike Hamlin, Chairman, EPCR Discipline Panel, observing.

List of documents/materials provided to player in advance of hearing:

- Red Card Report from JP Doyle, Referee;
- Statement of Anthony Woodthorpe, Assistant Referee;
- Statement of Peter Allan, Assistant Referee;
- Statement of Sean Davey, Television Match Official;

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE'S REPORT/FOOTAGE

The Referee's Report on red card stated: "From the kick restart the ball went to the left side 22m line of T. T11 caught the ball and L14 was the chasing player. From this point the L14 made a dangerous tackle which was high. This was reviewed in conjunction with the TMO and I made the decision to Red card the player for the tackle being high, not in control and with force to the face. Mitigating factors were considered but none found".

The Report on red card from the Assistant Referee read as follows: "I was one of the ARs on the game. JP and Sean (TMO) reviewed the tackle together and both came with the conclusion that it was a dangerous high tackle with force. There were no mitigating circumstances for the tackle".

The Report on red card from the other Assistant Referee stated: "I was on the far side from the incident but was aware immediately of the significance of the impact but clearly could not be sure of where contact was made. I joined JP on field to review the footage Sean put up on the big screen and it was absolutely apparent that the contact was shoulder direct to the chin of the Toulouse player, with force and as such there was no option but to show the player a red card. There was no reaction from players or staff at half time or post-match relating to the sending off (...)".

The TMO's Report read as follows: "I was TMO for the game. Both JP and I were in agreement throughout the review process that resulted in a red card for the Lyon winger (no.14). This was a clear and obvious decision based on JP's on the field view of the incident and the TV footage. A dangerous and high tackle direct to the face of the Toulon player (no.11) with force. I agreed with JP that there were no mitigating factors."

The video footage showed: The incident occurred approximately in the 30th minute of the Match just after a kick restart. Toulouse # 11 caught the ball on his side. The Player quickly climbs on Toulouse # 11 and charges him with his right arm and shoulder, making direct contact with Toulouse # 11 neck and head.

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

There was no further evidence of the incident presented or medical reports.

SUMMARY OF PLAYER'S EVIDENCE

Standing directions were not replied to in advance of the hearing.

The Player challenged the red card.

He submitted that the offence warranted a yellow card.

FINDINGS OF FACT

The Disciplinary Committee determined that the Player's challenge to the referee's decision to order him off should not be upheld.

The Disciplinary Committee was satisfied, on the balance of probabilities, that the Player committed an act of foul play who warranted a red card:

- * The Player charged Toulouse # 11 with his right arm and his shoulder;
- * This infringement was made with force. It was a straight charge.
- * The Player's Arm and Shoulder made direct contact with Toulouse # 11 neck and head.

DECISION

Breach admitted Proven Not proven Other disposal (please state below)

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SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 7.8.32 (a)-(b)
PLEASE TICK APPROPRIATE BOX Intentional/deliberate <input checked="" type="checkbox"/> Reckless <input type="checkbox"/>
State reasons
The offending was intentional and deliberate. The Player did make an effort to grasp Toulouse # 11. It was unfortunate that during this process his right arm made contact , or above, shoulder height , thus committing the offence.
Gravity of player's actions – R 7.8.32 (c)
The charge was made with force. The Player exposed his opponent to a risk of serious injury.
Nature of actions – R 7.8.32 (d)
Existence of provocation – R 7.8.32 (e)
There was no provocation.
Whether player retaliated – R 7.8.32 (f)
The Player did not act in retaliation or self defense.
Self-defence – R 7.8.32 (g)
Effect on victim – R 7.8.32 (h)
Toulouse # 11 was not injured.
Effect on match – R 7.8.32 (i)
There was no effect on the Match.
Vulnerability of victim – R 7.8.32 (j)
Toulouse # 11 was vulnerable.
Level of participation/premeditation – R 7.8.32 (k)
The offending was not premeditate.
Conduct completed/attempted – R 7.8.32 (l)
The offending was complete.
Other features of player's conduct – R 7.8.32 (m)
There were no other relevant features.

ASSESSMENT OF SERIOUSNESS CONTINUED

Entry point					
<u>Top end*</u>	<u>Weeks</u>	<u>Mid-range</u> 6	<u>Weeks</u>	<u>Low-end</u>	<u>Weeks</u>
<input type="checkbox"/>		<input checked="" type="checkbox"/>		<input 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 above Top End

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status as an offender of the Laws of the Game – R 7.8.34 (a) The Player was suspended 4 weeks for a breach of law 10.4 (e) namely dangerous Tackle on 17 October 2017. He was free to resume playing rugby on 20 November 2017. He was ordered off for an identical offence during the Match played on 7 December 2017.
Need for deterrence – R 7.8.34 (b) None
Any other off-field aggravating factors – R 7.8.34 (c) None

Number of additional weeks:

RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – R 7.8.35(a)	Player’s disciplinary record/good character – R7.8.35 (b)
The Player challenged the red card.	The Player had 2 previous suspensions.
Youth and inexperience of player – R 7.8.35 (c)	Conduct prior to and at hearing – R 7.8.35 (d)
The Player is 24 years old.He has the experience of professional rugby.	
Remorse and timing of remorse – R 7.8.35 (e)	Other off-field mitigation – R 7.8.35 (f)
The Player was not contrite. He expressed no remorse.	There was no off-field mitigation.

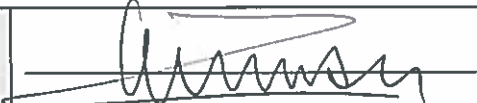
Number of weeks deducted:

Summary of reason for number of weeks deducted:

SANCTION

NOTE: PLAYERS ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – R 7.2.5

Total sanction	7 Weeks	Sending off sufficient <input type="checkbox"/>
Sanction commences	07/12/2017	
Sanction concludes	28/01/2018, midnight.	
Free to play	29/01/2018	

Signature (JO or Chairman)		Date	14/12/2017
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NOTE: YOU HAVE THE RIGHT OF APPEAL AGAINST THIS DECISION AS SET OUT IN REGULATION 8.1 AND 8.2 OF THE EPCR DISCIPLINARY REGULATIONS. YOUR ATTENTION IS SPECIFICALLY DRAWN TO THE TIME LIMIT AND DIRECTIONS/REQUIREMENTS RELATING TO AN APPEAL SET OUT IN REGULATION 8.2.1 TO 8.2.4 OF THE REGULATIONS