

## EPCR SHORT JUDGMENT FORM

Match	Cardiff Blues	Lyon	
Competition	European Rugby Challenge Cup		
Date of match	13/10/2017	Match venue	Cardiff Arms Park

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### PARTICULARS OF OFFENCE

Player's surname	Rokoduru	Date of birth	21/01/1993
Forename(s)	Timilai	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name	Lyon	SELECT: Red card <input type="checkbox"/> Citing <input checked="" type="checkbox"/> Other <input type="checkbox"/>	
Offence	10.4 (e) dangerous tackle		

### HEARING DETAILS

Hearing date	18/10/2017	Hearing venue	Sofitel, Heathrow, London
Chairman	Roger Morris (WRU)	Secretary	
Panel member 1	Jennifer Donovan (IRFU)	Panel member 2	Tommy Dalton (IRFU)
Decision	Proven <input checked="" type="checkbox"/> Not proven <input type="checkbox"/> Other disposal (please state) <input type="checkbox"/>	Click to enter other disposal.	

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

The report of the Citing Commissioner, Paul Hull, describes a tackle by the player on the Cardiff Blues No 11, subsequent to Cardiff 11 having passed the ball to his supporting player. The report indicates that the tackle started at a dangerously high point, that there was no attempt to use the arms and that contact was made with the shoulder to the head of Cardiff Number 11, contrary to law 10.4 (e). Video footage of the incident was available from 4 different angles.

Correspondence from the referee, Frank Murphy, indicated that he was following play but that he was aware of a potential late tackle by the player. Following consultation with his AR2, he awarded a penalty against the player for a late tackle and warned the player as to his conduct.

The AR, Ken Inbusch, submitted correspondence stating that he had informed the referee that the player had carried out a late tackle on Cardiff Number 11. He was of the opinion that the player's timing was off and that the impact was due to both players coming together at speed. He did not have a clear view of the incident and as a result he was unsure as to whether or not the player used his arms in the tackle.

The player accepted that he had committed the act of foul play as set out in the citing report and that the offence warranted a red card. The player explained that Cardiff had won a turnover and that he was covering across the pitch, from left to right, in defence. The player explained that he was attempting to defend a two on one and was committed to a tackle on Cardiff number 11. He said that his intention was to attempt to take "man and ball". The player said that he tried to turn but was unable to change direction

in time and was unable to raise his arms quickly enough to use in the tackle. The player pointed to the momentum of his run and his height advantage on Cardiff 11 as contributory factors but accepted that a dangerous tackle had occurred. The player indicated that he had apologised or attempted to apologise to Cardiff Number 11 immediately after the incident and at the end of the match.

Correspondence was received from Blaine Scully, the Cardiff number 11. It was his opinion that the timing of the tackle was not an issue but he confirmed that he had been hit high (around the throat area). He indicated that he had received treatment from the physiotherapist but was able to re-join play shortly thereafter.

## FINDINGS OF FACT

Having considered all of the evidence the panel found that the player had committed an offence contrary to law 10.4(e), such offence having, in any event, been admitted by the player. The panel found that the contact made between the player and Cardiff number 11 was an intentional act and was carried out with force and at speed, the shoulder of the player having come into contact with the head of Cardiff 11.

## DECISION

The player admitted the offence as set out in the citing report and therefore the citing was upheld.

Decision	Proven <input checked="" type="checkbox"/> Not Proven <input type="checkbox"/>
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### ASSESSMENT OF SERIOUSNESS

#### Assessment of Intent

PLEASE TICK APPROPRIATE BOX    Intentional/deliberate  Reckless

#### State Reasons

No attempt was made by the player to use his arms in the tackle or to otherwise avoid the contact made by his shoulder with Cardiff number 11.

Gravity of player's actions	Nature of actions
The act of foul play had the potential to cause serious injury although fortunately it did not.	Forcible contact using the shoulder.
Existence of provocation	Whether player retaliated
Not applicable.	Not applicable.
Self-defence	Effect on victim
Not applicable.	Cardiff 11 received some treatment on the pitch but was fit

	to resume play.
Effect on match	Vulnerability of victim
Nil	Victim not in a significantly vulnerable position.
Level of participation/premeditation	Conduct completed/attempted
Full participation but no premeditation	Conduct was completed.
Other features of player's conduct	
Nil.	
Nil	

Entry point	Top end* Click weeks	Mid-range Click weeks	Low end Click weeks
	<input type="checkbox"/>	<input checked="" type="checkbox"/> 6 weeks	<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 entry point:
The act of foul play was assessed at mid-range as a result of the finding that the offending had been deliberate and forceful and also taking into account World Rugby's directions in relation to offences of this nature resulting in contact to the head.

#### ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

Player's status as an offender of the Laws of the game
Nil.

Acknowledgement of guilt	Player's disciplinary record/good character
Standing directions were not replied to in advance of the hearing but the player admitted the offence at the outset of the hearing.	No previous red cards or citings.  In the 2014/2015 season the player was suspended for 1

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Need for deterrent
Nil.
Any other off-field aggravating factors
Nil.

Number of additional weeks: weeks

	week as a result of "totting up" of yellow cards.
Youth & inexperience of player	Conduct prior to and at hearing
The player is 24 years old and has played at under 20 level for Fiji and several seasons of club rugby in France.	Satisfactory.
Remorse & timing of remorse	Other off-field mitigation
Player attempted to apologise to the victim player immediately after the incident and again following the match.	Nil.

Number of weeks deducted: 2 weeks

## SANCTION

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

Total sanction	4 weeks	Sending off sufficient <input type="checkbox"/>
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Banned from	13/10/2017	Banned to	Midnight 19/11/2017
Ban split from	Not applicable	Ban split to	Not applicable
Free to play	20/11/2017		

Signature (Chairman)	Roger Morris	Date	18/10/2017
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**NOTE:** YOU HAVE 48 HOURS FROM NOTIFICATION OF THE SANCTION TO APPEAL. **NOTE: SUBJECT TO REGULATION 19.11.13, A DISCIPLINARY PANEL CANNOT APPLY A GREATER REDUCTION THAN 50% OF THE RELEVANT ENTRY POINT SUSPENSION**