

# EPCR CHALLENGE CUP

Hearing 6 April 2017 by Skype from the offices of Hutchinson Thomas, Neath

## **In respect of:**

Gabriel Connache ("the Player"), Timiosara Saracens

and

The ordering off of the Player ("Red Card") following two temporary suspensions ("Yellow Card(s)") issued by the referee, Sean Gallagher ("the Referee"), in the match ("the Match") played between Timisoara Saracens and Krasny Yar at Tbilisi on 1 April 2017

## **Judicial Officer:**

Roger Morris

## **Decision of the Judicial Officer:**

- i. The Judicial Officer found that the acts of foul play for which the Yellow Cards were awarded did not constitute a pattern or persistence of a type of offending such that a further sanction should be imposed in addition to the Red Card.
  
- ii. The Player was immediately free to play the game.

## **Introduction:**

The Judicial Officer was appointed by Professor Lorne D. Crerar, Chairman of the EPCR Disciplinary Panel, to consider and adjudicate on matters arising from the issue of the Red Card in the Match.

The Referee issued a Red Card to the Player following the issue to him of a Second Yellow Card in the Match. The first Yellow Card ("YC1") was issued for a breach of Law 10.4(e) of the Laws of the Game, a dangerous tackle and the second Yellow Card ("YC2") was issued for a breach of Law 10.4 (f), playing a player not in possession of the ball.

Present at the hearing (all by Skype) were the Player accompanied by Dana Uruci, manager of Timiasora Saracens and Liam McTiernan, the EPCR disciplinary officer.

There were no preliminary issues raised and all agreed that the hearing would be conducted under the disciplinary rule applicable to the EPCR Challenge Cup for season 2016/17

**Circumstances of YC1:**

YC1 involved the Player tackling an opponent high and with some force such that the Referee considered the seriousness of the offending warranted issuing a Yellow Card but nothing more. The Player accepted the Yellow Card was correctly issued.

**Circumstances of YC2:**

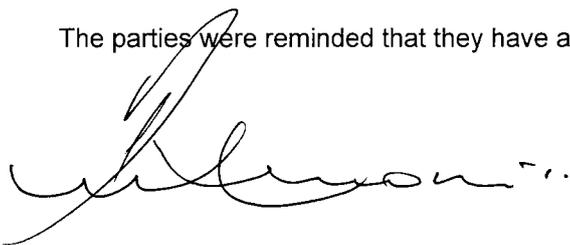
YC2 was issued as a consequence of the Player attempting to tackle an opponent who had already kicked the ball. The Player therefore played his opponent without the ball. Again, the Referee considered the offence merited only a Yellow Card but because it was a second Yellow Card awarded to the Player in the same match, the Referee was compelled to issue a Red Card too. The Player accepted unequivocally that the Referee acted correctly and both cards justified.

**Decision:**

The Judicial Officer noted the memorandum guidance given by World Rugby and that under that guidance his role as Judicial Officer was not to judge the seriousness of the substantive acts of offending but to consider whether together they represented a persistent pattern of offending such that the offender should face a punishment greater than the Red Card he had received.

Having considered the circumstances of both Yellow Cards, the Judicial Officer did not identify a pattern or persistence of offending such that further sanction was required. The Player was therefore free to play immediately.

The parties were reminded that they have a right to appeal against the Judicial Officer's decision.



Roger Morris

26 May 2017