

## **EPCR SHORT JUDGMENT FORM**

Match	Ospreys	Vs	Saracens
Club's Country	Wales	Competition	Heineken Champions Cup
Date of match	January 11, 2020	Match venue	Liberty Stadium
Rules to apply	<b>EPCR Disciplinary Rules 2019/20</b>		

### **PARTICULARS OF OFFENCE**

Player's surname	Carré	Date of birth	February 8, 1998
Forename(s)	Rhys	Plea	Admitted <input checked="" type="checkbox"/> Not Admitted <input type="checkbox"/>
Club name			
SELECT: Red card <input checked="" type="checkbox"/>	Citing <input type="checkbox"/> Other (specify) <input type="checkbox"/>		
Offence	9.13 Dangerous Tackling		
Summary of Sanction	3 weeks		

### **HEARING DETAILS**

Hearing date	January 15, 2020	Hearing venue	Bird & Bird, London, UK.
Chairman/JO	Philippe Cavalieros (France)	Panel member 1	Yannick Jauzion (France)
Panel member 2	Donal Courtney (Ireland)	Disciplinary Officer	Liam Mc Tiernan
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:

Warrick Lang, Rugby Manager, Saracens Limited

Maria Gyolcsos, EPCR

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

- Notice of Hearing dated January 13, 2020
- Match official Red Card Report dated January 11, 2020
- EPCR's letter to Chairman dated January 12, 2020
- Statement from Ludovic Cayre, Assistant Referee 1, dated January 13, 2020
- Statement from Cedric Marchat, Assistant Referee 2, dated January 13, 2020
- Statement from Ospreys' player Dan Evans dated January 14, 2020
- Video footage of the incident:  
<https://drive.google.com/file/d/1hCXyWJGxZdRX20Gv2IGXAPISou6j3l5t/view?usp=sharing>

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

- According to the Referee's Report, in the 4<sup>th</sup> minute of the game, the Player, made a dangerous tackle on Ospreys' fullback, n. 15.
- After review with the TMO, the Referee gave a red card for a leading shoulder charge directly to the neck and head area of Ospreys' 15.

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

Ospreys' player Dan Evans' statement provides:

*« Regarding the red card incident, I was unaware that Rhys made any contact with myself until I saw it on the big screen. Rhys messaged me after the game apologising for the event during the game and saying there wasn't any intent to hurt me. There was some stiffness in my neck the day after but I believe that was due to the initial hit from number 6 causing my head to go forward ».*

## SUMMARY OF PLAYER'S EVIDENCE

The Player accepted that his tackling position was too high and recognizes that the incident warranted a red card. However, the Player also submitted that his teammate n°6's position precluded him from tackling lower and wrapping his right arm around Ospreys' 15.

## FINDINGS OF FACT

The evidence available, notably the video footage and the referees' reports all show that there was indeed a contact of the Player's shoulder with the upper body, namely neck and head area, of Ospreys' 15.

This is not disputed and is therefore confirmed and admitted by the Panel which upholds the Referee's decision.

Moreover, based on the Player's declarations, the Panel is satisfied that the Player's action was reckless as opposed to intentional, since the Player's primary goal was to tackle his opponent (albeit too high) and not to hit the neck/head area deliberately.

A mid-range entry point ought to be applied.

## DECISION

Breach admitted ☒

Proven ☐

Not proven ☐

Other disposal (please state below) ☐

## SANCTIONING PROCESS

### ASSESSMENT OF SERIOUSNESS

Assessment of Intent – R 7.8.32 (a)-(b)		
PLEASE TICK APPROPRIATE BOX	Intentional/deliberate <input type="checkbox"/>	Reckless <input checked="" type="checkbox"/>
State reasons		
See above.		
Gravity of player's actions – R 7.8.32 (c)		
N/A		
Nature of actions – R 7.8.32 (d)		
Shoulder charge.		
Existence of provocation – R 7.8.32 (e)		
N/A		
Whether player retaliated – R 7.8.32 (f)		
N/A		
Self-defence – R 7.8.32 (g)		
N/A		
Effect on victim – R 7.8.32 (h)		
Negligible. Stiffness due to whiplash effect. The victim finished the game.		
Effect on match – R 7.8.32 (i)		
None despite early red card.		
Vulnerability of victim – R 7.8.32 (j)		
N/A		
Level of participation/premeditation – R 7.8.32 (k)		
N/A		
Conduct completed/attempted – R 7.8.32 (l)		
N/A		
Other features of player's conduct – R 7.8.32 (m)		
N/A		

**ASSESSMENT OF SERIOUSNESS CONTINUED**

Entry point					
<u>Top end*</u>	<u>Weeks</u>	<u>Mid-range</u>	<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)

N/A

Need for deterrence – R 7.8.34 (b)

N/A

Any other off-field aggravating factors – R 7.8.34 (c)

N/A

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 apologized to the victim player.	Clean disciplinary record and excellent character.
Youth and inexperience of player – R 7.8.35 (c)	Conduct prior to and at hearing – R 7.8.35 (d)
Yes, despite having played at the 2019 World Cup for Wales.	Remarkable conduct.
Remorse and timing of remorse – R 7.8.35 (e)	Other off-field mitigation – R 7.8.35 (f)
Immediate	N/A

Number of weeks deducted: 3 (50% maximum deduction)

Summary of reason for number of weeks deducted:
The Player has a clean disciplinary record, pleaded guilty and expressed remorse and showed good character.

#### 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 (weeks)	3 weeks	Sending off sufficient <input type="checkbox"/>	
Sanction commences	January 15, 2020	Costs	No order
Sanction concludes	February 2, 2020		
Free to play	February 3, 2020		

Signature (JO or Chairman)		Date	17 January 2020
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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