

**EUROPEAN RUGBY CUP**  
**DECISION OF JUDICIAL OFFICER**  
**21<sup>st</sup> December 2010**

**IN RESPECT OF:-**

Sailosi Tagicakibau (“the Player”)

**AND**

his Ordering-Off following the issue of a second Yellow Card in the Heineken Cup match between Toulon and London Irish played at Toulon on 18<sup>th</sup> December 2010

**JUDICIAL OFFICER**

Roger Morris ( WRU )

**DECISION OF THE JUDICIAL OFFICER:**

- (i) The Judicial Officer considered the Player’s Ordering Off in the match between Toulon and London Irish on 18<sup>th</sup> December 2010 ( “the Match” ) by Alain Rolland and concluded that no additional sanction should be imposed and that the Player is immediately free to play.
- (ii) The Judicial Officer made no award of costs.

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**INTRODUCTION**

This Judicial Officer was appointed by Professor Lorne D Crerar, the Chairman of the ERC Discipline Panel pursuant to the discipline regulations of ERC in respect of the Ordering Off of the Player during the Match.

**HEARING**

A hearing by telephone conference was convened for 9.30 am on the 22<sup>nd</sup> December 2010. However, the Judicial Officer had the opportunity, in advance, of reading the Referee’s Report ; the written statement of the Player and various e mail exchanges between Mr Roger O’Connor of ERC ( “the Discipline Officer” ) and the Player and his Club. Having afforded both parties the opportunity of adding further representations and also of attending a formal hearing, the Judicial Officer indicated that he was content to deal with the matter on the basis

of the aforementioned written materials and without the need for a formal hearing. Both parties confirmed they were also content to proceed in that manner.

The Referee's Report showed that the Player had first been issued with a Yellow Card in the 21<sup>st</sup> minute of the first half for an offence contrary to Law 12.1(e) - a deliberate knock on. A second Yellow Card ( and therefore the Red Card ) was issued in the second half for an offence contrary to Law 10.3(b) - repeated infringements by a team, in this case killing the ball at the breakdown.

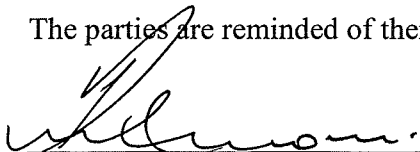
The Player , in his written statement, did not dispute that he had committed the two acts of Illegal Play and that the Referee was correct to issue the Red Card and order him off .

In these circumstances the Judicial Officer, exercising the discretion given to him under Regulation 6.7.39 of the Regulations, must consider whether any additional sanction should be imposed upon the Player.

The Judicial Officer noted that neither offence involved any violent or physical act aimed at another player and that both Yellow Cards were issued for what , in the common parlance of the game of Rugby, might be termed 'technical ' offences. Further, the two offences were not related either in time or substance and so , in the Judicial Officer's view, there was no cumulative effect to be considered.

In all the circumstances the Judicial Officer considered there to be no need for further sanction and that the issue of the Red Card was sufficient punishment in itself and the Player is free to play. There is no order for costs.

The parties are reminded of their right to appeal this decision.

  
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**Roger Morris**  
**Judicial Officer**

  
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**Date**