



DISCIPLINARY DECISION

| PARTICULARS OF OFFENCE | | | |
|----------------------------|---|---|--|
| Player's Name | Gulnur Sak | | |
| Player's Union | Türkiye | | |
| Match | Türkiye v Italy | | |
| Competition | Women 7s Trophy 2022 – Budapest | | |
| Date of match | 17 June 2022 | | |
| Match Venue | Budapest Rugby Centre | | |
| Rules to apply | Regulation 17 World Rugby Handbook and Rugby Europe Disciplinary Regulations | | |
| Referee Name | Nino Eloshvili | Plea | <input checked="" type="checkbox"/> Foul Play admitted <input type="checkbox"/> Foul Play not admitted <input checked="" type="checkbox"/> RC/Citing admitted <input type="checkbox"/> RC/Citing not admitted |
| Offence | 9.13 A player must not tackle an opponent early, late or dangerously. Dangerous tackling includes, but is not limited to, tackling or attempting to tackle an opponent above the line of the shoulders even if the tackle starts below the line of the shoulders. 9.7 A player must not: a. Intentionally infringe any law of the game. | <input checked="" type="checkbox"/> Red card <input type="checkbox"/> Citing <input type="checkbox"/> Other If "Other" selected, please specify: | |
| Summary of Sanction | Sending off sufficient. The player is free to play at once. | | |

| HEARING DETAILS | | | |
|---|---|-------------------------|---|
| Hearing date | 18 June 2022 | Hearing venue | Budapest Rugby Centre |
| Judicial Officer | Valeriu Toma (Romania) | | |
| Appearance Player | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Appearance Union | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Player's Representative(s) | Juan Gonzalez Mendia – coach | Other attendees | Andre Brand (Hungary) – Designated Disciplinary Officer Saime Zeynep Aydin – translator for the Player |
| List of documents / materials provided to Player in advance of hearing | n/a | | |

SUMMARY OF ESSENTIAL ELEMENTS OF CITING/REFEREE’S REPORT/INCIDENT FOOTAGE

1. The hearing has been convened as a result of the Player being sent off after accumulating two temporary suspensions in the pool stage of the tournament.
2. The Referee’s reports on the two incidents leading to the temporary suspensions were as follows:
 YC 1
 “2 minutes in” of the first half “for high tackle”;
 YC 2
 “Last play” of the second half “not 10 metres”;
3. Match footage has been available and viewed by the Judicial Officer.

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

n/a

SUMMARY OF PLAYER’S EVIDENCE

4. In respect of YC1, the Player stated there was no malicious intent in her action but she admits that she tackled too high. The Player’s representative also mentioned that it may be possible that the tackle was only a seat-belt type of tackle with low force and the perception of danger may have been amplified by the action of a second tackler that caused the ball carrier to fall in that moment. However, they do not contest the referee decision.
5. In respect of YC2, the Player and her representative explained that the Player saw the ball coming out of a breakdown and went on to play it. The opponent player at the base of the breakdown then placed her foot over the ball in an attempt to keep it inside. The Player continued her action to contest the possession of the ball. The referee was placed slightly on the other side of the tackle, so she did not see that the ball emerged, therefore she blew her whistle and penalised the Player for entering the tackle area from the side. As a consequence, the Player was confused as to the reason of stoppage and when an opponent tapped and played quickly the Player had a reflex to stop the opponent, however she realised what happens and immediately released. The ball carrier kept running for the goal line, but the referee did not play advantage, stopped the game and awarded her the second YC.
 Upon questioning from the Judicial Officer, the Player admitted that, despite of what happened before the penalty being awarded, the referee was entitled to award a yellow card for her offence of preventing an opponent from taking the penalty quickly, especially in the proximity of the in-goal.

FINDINGS OF FACT

6. In respect of YC1, although the footage is not 100% clear as to the precise nature of the high tackle, as claimed by the Player’s representative, the Judicial Officer concludes that there is no reason to doubt about what the referee saw on the field of play and therefore the Player committed an act of foul play contrary to Law 9.13 which merited a temporary suspension.

7. In respect of YC2, the Judicial Officer found the Player statements and description of events credible. Indeed, it is apparent that the ball went out from the breakdown and as such the Player thought it is entitled to play it, which may have caused confusion as to the reason of the referee decision to stop play. This does not absolves the player from being aware and act according to referee's decisions but may in part explain the Player's reaction.

DECISION

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|---|---|
| <input checked="" type="checkbox"/> Breach admitted | <input checked="" type="checkbox"/> Proven <input type="checkbox"/> Not proven <input type="checkbox"/> Other disposal (please state) |
|---|---|



SANCTIONING PROCESS

As per Article 4.2.3 of Rugby Europe Disciplinary Regulations and Appendix 4 of Regulation 17 of World Rugby

ACCUMULATION OF TEMPORARY SUSPENSIONS AND/OR CITING COMMISSIONER WARNINGS

7. The relevant part of Article 4.2.3 of RE Disciplinary Regulations provides that:

“Where a Player has received over a Match two yellow cards; or a combination of one yellow card and one Citing Commissioner Warning; the designated Judicial Officer is required to apply a sanction for the offence of persistent offending, not for the substantive offences relating to each yellow card and/or Citing Commissioner Warning. Ordinarily, the appropriate entry point sanction in such circumstances is a suspension of one to two weeks.”, (emphasis added)

which is further detailed in Appendix 4 of WR Regulation 17:

“...B. Player receives two Temporary Suspensions/Citing Commissioner Warnings in one Match

1. ...Ordinarily, the appropriate entry point for persistent offending within a single Match is a suspension of one to two weeks. Sanctioning in these circumstances should be determined by reference to the methodology in Regulations 17.17 to 17.21 and in particular to the application of mitigating and aggravating features.

2. The Judicial Officer or Judicial Committee may decide that sending off was sufficient (or otherwise that no further sanction is appropriate) in the following circumstances: ...

... (b) that exceptional circumstances exist which would warrant no further sanctions being imposed. This situation could arise when a Player was temporarily suspended for an act of Foul Play but on review it was clear that there was no Foul Play or only a minor act of Foul Play had been committed which would not have warranted a Temporary Suspension and/or Citing Commissioner Warning;

... (c) any of the Temporary Suspensions were awarded for so-called technical offences (including following a team warning) not involving a breach of Laws 9.11 to 9.28 inclusive.”

8. Having given due consideration to the fact that:

a. YC1 was an act of dangerous play; and

b. YC2 was a so called “technical offence”, however it was committed with no malicious intent and in a confusing situation, followed by immediate release from the Player and with no material effect on the game;

the Judicial Officer determined that these were circumstances out of the “ordinary”, where it is appropriate to apply the clause B.2.(c) from the Appendix 4 of WR Regulation 17.

9. It is not to be said that any situation of accumulation of two YC/CCW where one of the breaches is a “technical offence” must result in a “sending off sufficient” decision. Every case is different, and the Judicial Officer must make his judgement based on the specific facts of each case in order to reach a fair decision.

In this particular case, having considered the above findings and tacking into account also the mitigation factors listed below, the Judicial Officer determined that a “sending off sufficient” decision is the fair outcome.

Entry point

n/a

RELEVANT OFF-FIELD MITIGATING FACTORS

As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby

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|---|---|
| Acknowledgement of guilt and timing | Player's disciplinary record/good character |
| At the first occasion. | Very good record with no red cards or citations and a couple of yellow cards for technical offences |
| Youth and inexperience of player | Conduct prior to and at hearing |
| The Player is 27 and plays rugby since she was 20. However, it is apparent that there are only 2 weekends of domestic competitions in Türkiye. Therefore, the Player's experience is limited. | Polite and respectful throughout. |
| Remorse and timing of remorse | Other off-field mitigation |
| Shown during the hearing. | n/a |

Number of weeks deducted: n/a

Summary of reason for number of weeks deducted:

n/a

ADDITIONAL RELEVANT OFF-FIELD AGGRAVATING FACTORS

As per Article 4.5 of Rugby Europe Disciplinary Regulations and Regulations 17 of World Rugby

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| Player's status as an offender of the Laws of the Game |
| n/a |
| Need for deterrence |
| n/a |
| Any other off-field aggravating factors |
| n/a |

Number of additional weeks: n/a

Summary of reason for number of weeks added:


n/a

SANCTION

NOTE: Players ordered off or cited by a citing commissioner are provisionally suspended pending the hearing of their case, such suspension should be taken into consideration when sanctioning – RE Discipline Regulations 4.1.4 / 4.4 (or equivalent Tournament rule)

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| Total sanction | | <input checked="" type="checkbox"/> Sending off sufficient |
| Sanction commences | | |
| Sanction concludes | | |
| Matches/tournaments included in sanction | | |

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| Costs | n/a |
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| Date | 18 June 2022 |
| JO Signature |  |

NOTE: You have 24 hours from notification of the decision of the JO to lodge an appeal with the tournament director – RE Discipline Regulations 4.2.1