

DISCIPLINARY HEARING JUDGMENT

Alleged Offender: Sandro Nizharadze

Position: Team Manager, Georgia

Competition: Men's Championship in Makarska (9/06/2024)

Charge: Misconduct

Hearing: Remote

PANEL –

Chairperson: Martin Picton (ENG)

Wing: Michiel van Dijk (NED)

Wing: Donal Courtney (IRL)

PRESENT –

Sandro Nizharadze

David Baird-Smith (Rugby Europe)

CIRCUMSTANCES –

The complaint was initiated by Joël Dumé (Referee manager). It arose from an incident that took place at the end of a semi-final involving Georgia vs France. Mr Nizharadze approached M. Dume and articulated a complaint about the referees' performance. Mr Nizharadze told him, "I ordered you not to appoint this referee for our matches on the first day, and you did it." In fact, the person about whom he was complaining had been appointed assistant referee for the semi-final. M. Dume asked him to calm down. Mr Nizharadze continued: "You are not professionals, the referees are all bad, they are not professional."

A few minutes later Mr Nizharadze accosted M. Dume again saying: "The referees are a disgrace to rugby." Witnesses heard these words, notably Ben Fox (Head of Digital, Rugby Europe). M. Dume also noted that Mr Nizharadze had already received an official warning from the organization for his bad behaviour towards the referees during the Belgium vs Georgia match.

SANDRO NIZHARADZE'S ACCOUNT –

Mr Nizharadze, who raised no objection to the constitution of the panel, admitted the charge, having indicated in advance that it was his intention so to do. He did not seek to justify his words or actions, accepting that in the heat of the moment he behaved in an unacceptable way that amounted to "misconduct". He told the Panel that he had already apologised to M. Dume. He said he very much

regretted his actions and that he had never acted in such a manner before. He emphasised his good disciplinary record and experience in the sport.

DISCUSSION AND DISPOSAL –

The Panel concluded that in the context of the report from M. Dume, and the explanation proffered by Mr Nizharadze, the charge of misconduct, which Mr Nizharadze accepted, was made out. Complaints as to the conduct of officials can be communicated through official channels but are never appropriately dealt with by way of an intemperate expression of views. M. Dume’s role and position merited a proper level of respect and civility. Realistically, Mr Nizharadze did not seek to suggest otherwise. He recognised his conduct had crossed a line that should not have been crossed.

We considered it appropriate to have regard to the sanction table relevant to a 9.28 offence – “A Player must not disrespect the authority of a Match Official”. We considered that the conduct would merit a low end entry point given that this was a short exchange and one which was followed by a genuine and fulsome apology. For a player that would merit a 2 match/week suspension.

As Mr Nizharadze accepted the charge, conducted himself in an exemplary fashion throughout the disciplinary process and has a clean disciplinary record we concluded that he was entitled to the full 50% mitigation, reducing the suspension to one week. We further considered that there were grounds which justified the sanction being suspended until the end of the season. We considered such a disposal reflected the serious nature of Mr Nizharadze’s actions but also took account of the significant mitigation. The fact that the conduct merited a period of suspension sends out a message to others as to the need to respect match officials and to exercise self-control. We considered that given the capacity to combine other requirements with a suspended sanction enabled the Panel to build in both a restorative justice element along with an educative impact. There are two facets of this:

- (i) Mr Nizharadze must write a letter of apology to M. Dume, a copy of which must be supplied to Rugby Europe;
- (ii) Mr Nizharadze must notify his fellow Georgian officials of the outcome of this disciplinary process, including by providing them with a copy of this judgment, and in the course of doing so convey to them the importance of maintaining proper standards of engagement with officials.

We were pleased that Mr Nizharadze acknowledged the appropriateness of both those requirements and undertook to do so forthwith. He accepted that he had learned a valuable lesson and others should do so as well.

Martin Picton – Chair

19th June 2024