

KENYA RUGBY UNION - DISCIPLINARY DECISION



Match	Kabras Sugar RFC vs. Kenya Harlequins RFC		
Player's Club	Kabras Sugar RFC	Competition	Enterprise Cup
Date of match	08 February 2025	Match Venue	ASK Showgrounds, Kakamega
Rules to apply	REGULATION 17 WORLD RUGBY HANDBOOK & KENYA RUGBY UNION's DISCIPLINARY CODE & RUGBY XV's COMPETITION MANUAL		

PARTICULARS OF OFFENCE			
Player's surname	Indeche	DoB / Age	26 April 2001 / 23
Forename(s)	Collins		
Referee Name	Vincent Muiruri	Plea	Admitted <input type="checkbox"/> Not admitted <input checked="" type="checkbox"/>
Offence	9:12 A player must not physically or verbally abuse anyone. Physical abuse includes, but is not limited to, biting, punching, contact with the eye or eye area, striking with any part of the arm, shoulder, head or knee(s), stamping, trampling, tripping or kicking.	SELECT: Red card <input checked="" type="checkbox"/> Citing <input type="checkbox"/> Other <input type="checkbox"/> If "Other" selected, please specify: Two YELLOW CARDS leading to automatic RED CARD	
Summary of Sanction	The Judicial Officer categorised the RED CARD (as defined in the KRU Rugby XV's Competition Manual – Appendix Rules 20/21/22) as mid-range on the scale of seriousness and having considered aggravating and mitigating circumstances imposed upon the player a one (6) week/match suspension. In accordance with the R.17.19.10 and in line with the player's schedule, he will serve suspension from 08 February 2025. There was no award as made as to costs.		

HEARING DETAILS			
Hearing date	11 February 2025	Hearing venue	Virtual
Chairman/JO	Aggrey Chabeda		
Other Members of Disciplinary Committee			
Appearance Player	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	Appearance Union	YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
Player's Representative(s)	1. Carlos Katywa – Head Coach 2. Wilson Omondi – Team Manager	Disciplinary Officer and/or other attendees	1. Kevin Wambura: KRU – 2. League Fixtures & Competitions Admin 3. Alfred Okwemba – KRRS 4. Victor Oduor - KRRS
List of documents/materials provided to Player in advance of hearing	1. 250208 Referee's Report on Ordering-Off & Match Sheet - Kabras Sugar vs. Kenya Harlequins 2. 250210 Notice of Disciplinary Hearing – Collins Indeche – Email 3. 250210 Notice of Disciplinary Hearing - Collins Indeche – Attachment 4. Video clip of incident		

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

Referee’s Report on Ordering-off

1. Refer to detailed “**Referee’s Report on Ordering Off**” as attached.
2. At some time in the second half, a Kabras Sugar player (unidentified) tackled a Kenya Harlequins player (unidentified) who went to ground
3. Another Kabras player No.7, Collins Indeche then swung his arm straight to the head of the Kenya Harlequins player while on the ground.
4. The contact was straight to the head and was reckless and unnecessary, there was considerable force applied. There was a High risk of danger and no mitigation. Kabras player No.7, Collins Indeche received a Red Card and was sent-off.
5. The tackled player received treatment on the field and was able to continue.

Disciplinary Designated Officer / Citing Commissioner’s Report

Refer to detailed “**Disciplinary Designated Officer / Citing Commissioner’s Report**” as attached – when applicable.

1. Not applicable

Match Sheet

Refer to “**Match Sheet**” as attached.

1. The RED CARD incident is accurately captured

DVD Footage

Refer to “**DVD Footage**” as per links provided or video shared

1. A short clip of the incident was provided by Kabras /sugar player representatives
2. Kabras player No.7, Collins Indeche definitely makes contact with the ball-carrier, an unidentified Kenya Harlequins player
3. It is not possible to establish conclusively whether the tackler made contact with the victim before or after the latter went to ground
4. It is also not possible to establish conclusively whether the tackler made contact with the victim using a swinging arm and whether it struck the head or another part of the victims body
5. A medic ran towards the ball-carrier immediately the latter went to ground and, after a short examination, the victim got to his feet and was allowed to continue with the match.

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

Medical

Refer to detailed “**Medical Report**” as attached – when applicable..

1. Not applicable

SUMMARY OF PLAYER’S EVIDENCE

The player: *Collins Indeche*

1. Apologised for joining the meeting 15 minutes after the scheduled start
2. The player did not admitted the charge
3. He arrived the scene as a support tackler.
4. He tackled the ball-carrier around the chest and ripped the ball off him – the ball-carrier was on his way to ground during this action

Player Representative(s) – *As detailed below*

Head Coach, Carlos Katywa

1. Apologised for joining the meeting 15 minutes after the scheduled start
2. Kabras Player No.7 arrived the scene as a secondary tackler. Tackled the ball carrier around the chest and ripped the ball off the ball carrier as the latter was on his way to ground.
3. He identified the primary tackler as Kabras Player No.11, Alfred Orege, whom the ball carrier spun away from after the initial tackle and was subsequently tackled by Kabras Player No.7.
4. The tackle was proper and there was no swinging arm.

Team Manager, Wilson Omondi

1. Apologised for joining the meeting 15 minutes after the scheduled start
2. Echoed the sentiments of the Head Coach.

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FINDINGS OF FACT

KRRS Representative - *Alfred Okwemba, President & Victor Oduor, Secretary*

1. In attendance

Match Officials - *[insert full name(s) of Match Officials, Assignment, & Union]*

1. None present – see attached Match Sheet for names of Match Officials

KRU Official – *Kevin Wambura: KRU - League Fixtures & Competitions Admin*

1. Confirmed that Kabras Player No.7 Collins Indeche faced a disciplinary hearing in January 2024 and one-match ban, the minimum for send-off, was deemed sufficient

JO's Comments

1. Match Sheet:
 - a. All data was well-captured save for a **timeline** of critical incidents. Timelines are a key part of the data capture of a match.
2. Referee's Report:
 - a. The Kenya Harlequins player that was the victim of the offence is not identified in the report – Match officials should be advised to ensure that all relevant parties, to the extent that is possible, are at all times identified.
 - b. The approximate time of the RED CARD incident is not captured

Hearing

1. Kabras Player No.7 did not admit the charge. This led to a hearing.
2. The Referee's report is summarised on Page 2 in this document and the original is attached – it is self-explanatory
3. The player and two Kabras representatives made their submissions as captured on Page 2 in this document and are self-explanatory
4. In summary, the Kabras contend that their Player No.7 made a legitimate tackle and should not have received a RED Card
5. Kabras availed a short video clip as supporting evidence – the JO's conclusions a summarised on Page 2 of this document
6. The JO made the following determinations in reaching a decision:
 - a. While he recognised the usefulness of the DVD footage, it was not sufficiently clear as to refute the Match Referee's Report and decision to issue a RED CARD. On the balance of probabilities, the JO decided to stand by the referees report.
 - b. Noted that the Match referee had applied the wrong Law, 9:13, and substituted it with 9:12
 - c. Referred to Regulation 17 Appendix 1 - *WORLD RUGBY SANCTIONS FOR FOUL PLAY (REGULATION 17): "Any act of foul play which results in contact with the head shall result in at least a **mid-range** entry point sanction."*
 - d. Noted three aggravating factors – lateness to hearing, Kenya U21 International & past disciplinary record – addition +1 week
 - e. Noted two mitigating factors – tackled player recovered quickly and resumed play, apology for lateness – deduction -1 week

JO's Decision

The Judicial Officer categorised the RED CARD (as defined in the KRU Rugby XVs Competition Manual – Appendix Rules 20/21/22) as **mid-range** on the scale of seriousness and having considered aggravating and mitigating circumstances imposed upon the player a one (6) week/match suspension.

In accordance with the R.17.19.10 and in line with the player's schedule, he will serve suspension from 08 February 2025.

No award was made as to costs.

DECISION

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

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SANCTIONING PROCESS

ASSESSMENT OF SERIOUSNESS	
Assessment of Intent – R 17.18.1(a & b) (or equivalent Tournament rule)	
Intentional/deliberate <input type="checkbox"/>	Reckless <input checked="" type="checkbox"/>
State Reasons	
It does not appear to have been premeditated. No medical report was provided	
Gravity of player’s actions - R 17.18.1(b) (or equivalent Tournament rule)	
Nature of actions - R 17.18.1(c) (or equivalent Tournament rule)	
Existence of provocation - R 17.18.1(d) (or equivalent Tournament rule)	
Whether player retaliated - R 17.18.1(e) (or equivalent Tournament rule)	
Self-defence – R 17.18.1(f) (or equivalent Tournament rule)	
Effect on victim – R 17.18.1(g) (or equivalent Tournament rule)	
Effect on match – R 17.18.1(h) (or equivalent Tournament rule)	
Vulnerability of victim – R 17.18.1(i) (or equivalent Tournament rule)	
Level of participation/premeditation – R 17.18.1(j) (or equivalent Tournament rule)	
Conduct completed/attempted – R 17.18.1(k) (or equivalent Tournament rule)	
Other features of player’s conduct – R 17.18.1(l) (or equivalent Tournament rule)	

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ASSESSMENT OF SERIOUSNESS CONTINUED					
KINDLY REFER TO ATTACHED DOCUMENTS – PLAYER SANCTIONS (LAST PAGE)					
<i>Offence: 9.12. A player must not physically abuse anyone. Physical abuse includes but is not limited to: Punching or striking with hand, arm, elbow or shoulder</i>					
<u>Low end</u>	<u>Weeks / Matches</u>	<u>Mid-range</u>	<u>Weeks / Matches</u>	<u>Top-end*</u>	<u>Weeks /Matches</u>
<input type="checkbox"/>	2	<input checked="" type="checkbox"/>	6	<input type="checkbox"/>	10 (to a Max of 52)

Notes

1. **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.*
2. *Appendix 1 - WORLD RUGBY SANCTIONS FOR FOUL PLAY (REGULATION 17): Any act of foul play which results in contact with the head shall result in at least a mid-range entry point sanction.*
3. *In making this assessment, the JO/Committee should consider World Rugby Regulations 17.18.1(a), 17.18.1(g), and 17.18.1(h) 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 17.19.4(a) (or equivalent Tournament rule)

- | |
|--|
| <ol style="list-style-type: none"> 1. RED CARD sanction in January 2024 |
|--|

Need for deterrence – R 17.19.4(b) (or equivalent Tournament rule)
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- | |
|--|
| <ol style="list-style-type: none"> 1. |
|--|

Any other off-field aggravating factors – R 17.19.4(c) (or equivalent Tournament rule)
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- | |
|--|
| <ol style="list-style-type: none"> 1. Presented himself for the hearing 15 minutes late 2. Has played for Kenya U21 team |
|--|

Number of additional weeks:
[In Words & (Digits)]

One(1)

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RELEVANT OFF-FIELD MITIGATING FACTORS

Acknowledgement of guilt and timing – R 17.19.1(a) (or equivalent Tournament rule)	Player’s disciplinary record/good character – R 17.19.1(b) (or equivalent Tournament rule)
1.	1.
Youth and inexperience of player – R 17.19.1(c) (or equivalent Tournament rule)	Conduct prior to and at hearing – R 17.19.1(d) (or equivalent Tournament rule)
1.	1.
Remorse and timing of remorse – R 17.19.1(e) (or equivalent Tournament rule)	Other off-field mitigation – R 17.19.1(f) (or equivalent Tournament rule)
1.	1. The speedy recovery of victim suggests the head contact was not as serious as it first appeared

Number of weeks deducted:
[In Words & (Digits)]

One (1)

See Regulation 17.19.2 below for maximum mitigation

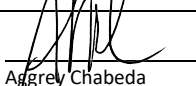
*17.19.2 Subject to Regulations 17.19.3 and 17.21.1, for acts of Foul Play the Disciplinary Committee or Judicial Officer cannot apply a greater reduction than 50% of the relevant entry point suspension (prior to any increase for aggravating factors). In assessing the percentage reduction applicable for mitigating factors, the Disciplinary Committee or Judicial Officer shall start at 0% reduction and apply the amount, if any, to be allowed as mitigation up to the maximum 50% reduction.
The total sanction below replaces the automatic one-match ban for a RED CARD sending-off.*

SANCTION

NOTE: PLAYERS ORDERED OFF ARE PROVISIONALLY SUSPENDED PENDING THE HEARING OF THEIR CASE, SUCH SUSPENSION SHOULD BE TAKEN INTO CONSIDERATION WHEN SANCTIONING – R 17.14.5(f) (or equivalent Tournament rule)

Total sanction	Entry point = 6 weeks Mitigating factors = 1 week Aggravating factors = 1 week Total after mitigating & aggravating factors = 6 – 1 + 1 = 6 weeks	Sending off sufficient <input type="checkbox"/>
Sanction commences	08 February 2025	
Sanction concludes	KRU sanctioned Match weekends in which sanctioned player’s Team participates (as per Kenya Rugby Union Disciplinary Code & Tournament Participation Rules for 15s tournaments).	
Matches/tournaments included in sanction	Kenya Cup Matches - weekends 9-12 (15 Feb – 08 March 2025) – 4 matches Enterprise Cup Semi-final – Weekend 13 (15 Mar 2025) – 1 match 1 additional match	

Costs	None
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Signature (JO or Chairman)	 Aggrey Chabeda	Date	11 February 2025
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NOTE: YOU HAVE 7 (SEVEN) DAYS FROM NOTIFICATION OF THE DECISION OF THE CHAIRMAN/JO TO LODGE AN APPEAL WITH THE KRU COMPETITIONS DEPARTMENT – R 17.22.2(a) (or equivalent Tournament rule)



Referee's Report on an Ordering Off

OFFICIATING

Player's Union	Kabras Sugar	Player Number	07
Full Name of Player	Collins Indeche		
Venue	ASK Kakamega Grounds	Date of Incident	08 Feb 2025
Match Result	Kabras Sugar	43 pts	Kenya Harlequins
			20 pts

Nature of Offence: (Please indicate appropriate offence)

Law	✓	Law	✓	Law	✓	Law	✓	Law	✓	Law	✓
3.7		9.7 (d)		9.12		9.17		9.20 (c)		9.25	
4.7		9.8		9.13	X	9.18		9.21		9.26	
9.7 (a)		9.9		9.14		9.19		9.22		9.27	
9.7 (b)		9.10		9.15		9.20 (a)		9.23		9.28	
9.7 (c)		9.11		9.16		9.20 (b)		9.24			

Please give a short description of the Law

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.

Period (of game when incident occurred):	1 st Half		2 nd Half	X	Extra time		Elapsed time in half		
Proximity of Official(s) to incident	4						metres		
Score at that time	Kabras Sugar			33	pts	Kenya Harlequins		20	
								pts	
Had any cautions been issued to	a) Individual	Yes		No	X	b) General	Yes	No	
								X	
Was the Player ordered off further to the report of an Assistant Referee? <i>(If yes, a separate form may need to be completed and submitted by the assistant referee)</i>							Yes	No	X

Referee's Name	Vincent Muiruri	Union	NRRS
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Please give a detailed report below (PLEASE WRITE CLEARLY)

After a Kabras player tackled a Quins player and the Quins player went to ground, Kabras player number 7 swung his arm straight to the head of the player while still on the ground. The contact was straight to the head and was reckless and unnecessary, there was considerable force applied. High risk of danger and no mitigation. Hence Red Card. The tackled player was treated on the field and was able to continue.

Signed	V.M	Date	08 Feb 2025
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THIS REPORT MUST BE COMPLETED AND PROVIDED TO A DESIGNATED DISCIPLINARY OFFICIAL IMMEDIATELY AFTER THE COMPLETION OF THE MATCH

KENYA RUGBY UNION MATCH SHEET

1420

Match	Team A: <u>KABRAS RFC</u> v. Team B: <u>KENYA HARLEQUINS</u>	Tournament: <u>Enterprise</u>	Venue: <u>A.S.K. Kakamega</u>
	Full Time: A <u>43</u> v B: <u>20</u>	Half Time: A <u>14</u> v B: <u>13</u>	Date: <u>8/2/25</u>
Referee:	Name: <u>VINCENT MUIRURI</u>	ARI Name: <u>BONTOIRA XUNASA</u>	AR2 Name: <u>KEN ANZAYA</u>
	Country: <u>KENYA</u>	Country: <u>KENYA</u>	Match Commissioner:

Team A: First Name, Surname	Team B: KENYA HARLEQUINS First Name, Surname	Score Sequence. Please indicate shirt number, time, score and event											
		FIRST HALF					SECOND HALF:						
		No.	Team	Time	Event	Score		No.	Team	Time	Event	Score	
								A	B				
								A	B	A	B		
1. Edward Mwarua	1. Dessaily Wafula												
2. Taddy Akallo	2. George Othno												
3. Emmanuel Otieno	3. Abel Matanda	9	A		T	5		13	B		T		5
4. Clinton Litali	4. Bradley Odoro	10	A		C	2		10	B		C		2
5. Patrick Sabatia	5. Sheldon Kahi (c)	10	A		T	5		10	A		T		5
6. Gabriel Odoro	6. Chalton Mokuu	15	A		C	2		10	A		C		2
7. Callina Indochi	7. Bill Abiom	10	B		P		3	10	A		T		5
8. James Misaga	8. Briton Mwakwas	10	B		P		3	7	B		T		5
9. Barry Robinson	9. Patrick Wainaina	8	B		T		5	21	A		T		5
10. Frank Cantona	10. Faren Juma	10	B		P		2	10	A		C		2
11. Alford Oregga	11. Leonard Fagang	6	A		Y			7	A		R		
12. Walter Okoth	12. Paul Mutkimi (vc)							16	A		T		5
13. Matthias Osiro	13. Jan Remke							16	A		T		5
14. Alvin Mutachi	14. Dave Mwangi												
15. Samuel emallo	15. Leon Nyang'												
16. Eugene Sigura	16. Mike Munere												
17. Ephraim Odwar	17. Winston Othno												
18. Aburion Mugerwa	18. Adams Juka												
19. Hillary Othmanba	19. Joshua Chisanga												
20. George Nyumbura	20. Vincent Omond												
21. Roy mariti	21. Arnold Onzere												
22. Valerian tendwa	22. Evin Asena												
23. Ktabani Dukisa	23. Mathew Ouma												

14 : 3 29 : 7

Signed TM: Signed TM:

Match Commissioner Comments: _____

Weather: Hot Pitch Condition: good

Other Comments: Highly contested.

Signed:

T = Try
C = Conversion
DG = Drop Goal
P = Penalty
S = Substitution
Y = Yellow Card

NOTICE OF DISCIPLINARY HEARING - COLLINS INDECHE (KABRAS SUGAR RFC)

Inbox

Search for all messages with label Inbox

Remove label Inbox from this conversation

K

KRU Competitions

Mon 10 Feb, 17:17 (15 hours ago)

to wilsonomondi497@gmail.com, edwin.esilaba@raisugar.com, nic.barasa@kabrasr fc.co.ke, Thomas, Paul, me, george, Willy, omeddie@yahoo.com, kipyegonterer@gmail.com, Duncan, Daniel, victor.oduor@kenyareferees.co.ke, Alfred, secretary@kenyareferees.co.ke

Greetings Omosh, Chairman Esilaba and the entire Kabras Sugar Rugby family,

Subject matter refers.

We are in receipt of a sending off report for the above-named player, Collins Indeché.

Guided by the KRU Regulations 19.6 all the way to 19.10, a disciplinary hearing has therefore been slated for 11th February 2025 at 10am.

Find attached the notice of disciplinary hearing, the match sheet and the sending off reports. The link to the hearing is also attached:

G.M Ndemi is inviting you to a scheduled Zoom meeting.

Topic: KRU DISCIPLINARY HEARING

Time: Feb 11, 2025 10:00 AM Nairobi

Join Zoom Meeting

<https://us02web.zoom.us/j/84767747478?pwd=hiBHkKIK4WqwgkJLDueO36ZjRFFjll.1>

Meeting ID: 847 6774 7478

Passcode: 224273

Competitions Department, Kenya Rugby Union

Tel: +254724 256 179 /733 256 179 | www.kru.co.ke

RFUEA Grounds Ngong Road

NOTICE OF DISCIPLINARY HEARING



Name: Collins Indeche
Club: Kabras Sugar RFC
Date Time: 11th February 2025, 10am
Place of hearing: Virtual (Zoom Hearing)
Reason: Disciplinary Hearing
Match: Kabras Sugar RFC vs Kenya Harlequin FC (8th February 2025)

Notes:

- The player/official shall attend the hearing in person.
- If the player/official is unable to attend the hearing, he should advise the **Competitions Administrator at competitions@kru.co.ke** immediately.
- The Player/Official is entitled to adduce evidence and make submissions, be represented by his Club and/or a legal advisor and may bring witnesses to the hearing.
- The Official is not eligible to play/manage rugby activities pending the final resolution of the case.
- During the hearing, the Judicial Officer will review the evidence and receive the official submissions and evidence, including hearing from any witnesses.
- In advance of the hearing, the Player/official and/or his advisors/Club should review the incident on the Union's/Host clubs copy of the DVD (per the time marker indicated on the report) if available. The Player/official should also review the regulations of the world rugby.
- The Player/official should be prepared with any arguments he may wish to present, including for the purposes of sanctioning, with respect to off-field mitigating factors (on-field mitigating factors are considered in setting the entry point in regulations) and/or the absence of any aggravating factors.
- The official should bring with him a copy of his disciplinary record in all rugby (Fifteens and Sevens at all levels, including, for the avoidance of doubt, international, junior and Club) and other sports if relevant. If a copy is not available, the Player shall inform the Judicial Officer orally of his disciplinary record when requested. The Player should be careful not to make any inaccurate or misleading statements in this regard.

Competitions Administrator - competitions@kru.co.ke

Attached documents: Team Sheet, Match Officials' Reports