

GENERAL INFORMATION*

Lead Area:	Community & Game Development
Lead Procedure Title:	SEND OFF POLICY & JUDICIAL PROCESS
Procedure Reference No:	RWA14
Adapted by:	JS
Date last modified:	12 th February 2019

1. OVERVIEW

This Procedure is governed by Rugby AU's Disciplinary Rules 2019 and does not supersede/override these Rules. This document sets out the procedures and provisions for disciplinary matters, with the aim of providing an outline of how Rugby AU's Disciplinary Rules are applied and ensure a consistent approach to disciplinary proceedings and ultimately ensuring a fair and safe playing environment for all participants. A summary flowchart of the procedure is included as Annex A to this procedure.

2. SCOPE AND APPLICATION

This policy sets out the procedures for dealing with the following matters:

- a. when a Player has been temporarily suspended (**Yellow Card**).
- b. when a Player is sent off the playing enclosure (**Red Card**);

3. PROCEDURES – YELLOW CARDS (YC)

- a. Match Day.
 - i. If a Player is issued a YC by a referee during a match the player must remain with the side line official or if there is no side line official with the player's team manager for a period of ten (10) minutes and will not re-enter the field of play until expressly permitted to do so by the referee. The ten (10) minute suspension *excludes half time and any injury time*. The referee or their nominated delegate will keep, and be the sole arbiter of, the time for which a suspended player is off the field.
 - ii. All YC's must be recorded on Rugby Xplorer prior to signing by the referee. Any failure to do so will leave the player and the club liable to such penalty as the Union may designate from time to time. All YC's from each match are to be recorded on Rugby Xplorer along with the basis for the YC, i.e. repeated team infringement or foul play.
- b. Yellow Card challenge
 - i. A player who receives a YC, or their club on the player's behalf, may give written notice **challenging** that YC by 5.00pm Monday following the match in which the YC arose. Such notice must detail the basis of the challenge.
 - ii. The player/club's notice will be recorded by RWA and will be considered by either the Duty Judicial Officer or the Judicial Committee.

- c. Multiple yellow cards
 - i. If a player receives three (3) YC's in a season they will automatically miss the next scheduled match, unless the player gave notice in accordance with paragraph 3(b)(i).
 - ii. To discourage further accumulation of YCs during the season, if a player accumulates another two (2) YCs they will be automatically suspended for one (1) match and will be required to attend a hearing before the next convened Judicial Committee to determine whether any additional sanction is appropriate.
 - iii. For each YC thereafter, the player is automatically suspended for one (1) match and will be required to attend a hearing before the next convened Judicial Committee to determine whether any additional sanction is appropriate.
 - iv. In relation to the counting of multiple yellow cards during the season:
 - a. If a player receives two YC's in one match and is sent off as a result (i.e. red card (RC)) those two YC's will instead be a RC; and
 - b. If a player is cited and subsequently sanctioned from an incident that gave rise to a YC, this incident will be classified as a citing and not as a YC.

4. PROCEDURES – RED CARDS (RC)

a. Send Off.

- i. If a player is sent off by a referee during a match (i.e. RC) they must leave the field of play and take no further part in that match or in any other matches **UNTIL** they have had their matter dealt with by the Judicial Committee.
 - ii. A player who has received a RC is, without further notice, provisionally suspended from playing Rugby. The player ordered off is required to attend the next constituted meeting of the Judicial Committee to have their matter heard.
- ##### b. Pre-Hearing.
- i. Whenever a referee issues a RC in any match they will, upon completion of their match notify, by text, the referee admin person and SCM as to how many RC's they have issued in the match. This ensures the disciplinary procedures can commence in a timely fashion.
 - ii. The referee shall lodge their send-off report(s) with RWA by **12.00pm Monday** following the match.
 - iii. After receiving the referee's report, the appointed Duty Judicial Officer (a RWA Judiciary Member), will consider the report and if they assess it to be at the lower end entry point of two weeks or less, based on scale of seriousness of player's conduct, the Duty Judicial Officer may offer an 'Early Admission of Breach Sanction'.
 - iv. A player offered an 'Early Admission of Breach Sanction' must decide whether to accept the early admission of breach sanction. A player accepting an Early Admission of Breach

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Sanction accepts that they committed the act of Foul Play for which they have been charged.

- v. If offered an Early Admission of Breach Sanction the player, and/or their club, must advise RWA in writing no later than 12:00pm on the Wednesday following the incident.
- vi. If the player is not offered or does not accept an Early Admission of Breach Sanction, the player will be required to appear before the Judiciary Committee at the time nominated for the hearing of the charge.

c. Video Footage.

- i. RWA will arrange for any video recording commissioned by RWA to be provided as soon as reasonably practicable to the Judicial Committee who will adjudicate on the case.
- ii. Each Rugby Body involved in the match the subject of an ordering off must arrange for any video recording commissioned by the Rugby Body (whether on a formal or informal basis) to be provided as soon as reasonably practicable to the Judiciary Committee, who will adjudicate the case. If no video footage can be provided, the President or Secretary of the player's club must confirm in writing to RWA by 5.00pm on the day of the hearing confirming that no such footage exists. Failure to comply with this obligation may result in the Judicial Committee assuming that incriminatory video evidence has been deliberately withheld or destroyed.

d. Hearing & Decision.

- i. Pursuant to the Laws of the Game, the referee is deemed to be the sole judge of fact as to the events which occur on the playing enclosure (unless there is compelling evidence to the contrary).
- ii. The standard of proof for all matters is the balance of probabilities, unless otherwise specified.
- iii. The function of the Judicial Committee shall be to consider the circumstances of the case and determine what further sanction, if any, should be imposed on the player.
- iv. Except in clear cases of mistaken identity, the Judicial Committee may decide upon only one of the following courses of action:
 - (a) Expunge the RC or YC from the player's disciplinary record;
 - (b) Take no further action and let any on field decision(s) stand;
 - (c) Caution or severely caution the alleged offending participant as to their future conduct; or
 - (d) Impose a sanction, including, but not limited to suspension of the alleged offending participation.
- v. The participant must be advised, without delay, of the decision of the Judicial Committee that conducted the hearing.
- vi. The Judicial Committee must provide a report of the decision to RWA within five

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- (5) business days after the hearing.
- vii. Any appeal against a decision of the Judicial Committee must be done in accordance with RWA** - Appeals Procedure

5. OTHER PROCEDURES

- a. If a player refuses to comply with the directions of a referee when the player is sent off the field:
- i. The match may, at the referee's discretion, be immediately awarded to the opposing team as if the match had been forfeited by the team for which the refusing player was playing; and
 - ii. The player in question will be suspended from playing any match until their case has been decided by the Judicial Committee. Their refusal to leave the field of play will also be considered and taken into account and may be considered by the Judicial Committee as a separate matter.
- b. Failure by RWA and/or a referee to comply with timeframes or other administrative matters, does not invalidate the proceedings against any player.

Refer RWA judicial process flowchart to follow:

DOCUMENTS REQUIRED BY YOU TO FOLLOW THIS PROCEDURE

- Rugby Australia Disciplinary Rules 2019
- RWA 2019 Competition Rules.

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JUDICIARY & CITING PROCESS OVERVIEW

