

HAMPSHIRE RUGBY FOOTBALL UNION LIMITED

Regulation, Advice and Guidance Note 12
Sponsor Game Development Committee
Approved 9 May, 2013 Updated 21 January, 2016
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DISCIPLINARY PROCEDURES

1201 Players

- 1 Many hours of unnecessary work and aggravation can be saved if all players exercise self-discipline, an essential feature of a physical contact game. Players must appreciate that they alone are responsible for their own self-discipline. They should all understand the Code of Conduct and should support their Club in promoting good discipline.
- 2 Players must be aware that Law 6.A.4 (a) states that “the referee is the sole judge of fact and of Law during a match”. They must respect his authority and not dispute his decisions. They must be aware that retaliation is not an excuse for foul play. They must also be aware that once a referee has given a ‘General Warning’ for foul play then the referee must order off the next offending player whether such player was on the field or the replacements’ bench at the time of the warning.
- 3 Players should be aware that the Law 16.3 (f) states that rucking for the ball does not permit them to intentionally step on an opponent, let alone stamp or trample.
- 4 When a player has been ordered off the field of play he must leave the playing enclosure immediately. It is in the player’s interest that he should return directly to the changing room and should avoid speaking to or becoming involved with any opposition player, match official or spectator. A player temporarily suspended is to stay in his team’s Technical Area or, if none is provided, behind the opposition’s dead ball area.
- 5 After the game a wise player will apologise to the referee and to any opposition player with whom he might have been involved. This would be to his advantage when penalties are decided. He would obtain the details of any witnesses to the incident who may be prepared to speak on his behalf at a disciplinary hearing.
- 6 The team captain must report any sending-off to his Club Secretary or Club Disciplinary Officer (CDO) as soon as possible after the match.
- 7 A player sent off is automatically suspended and cannot play again until his case has been decided. It is essential therefore that a player intending to plead Not Guilty must have immediate support from his Club which must take urgent action. See 1204.

1202 Composition of the Hampshire Disciplinary Sub Committee

- 1 The powers delegated by the RFU to Hampshire are vested by the Management Board in the Disciplinary Sub Committee (DSC). The DSC will decide upon all disciplinary matters concerning adults whether administrators, officials, coaches or players including but not limited to cases reported by Match Officials, all citings and all Rule 5.12 cases. They may require an alleged offender to appear before them regardless of any sanction taken by a Club. Club sanctions will be considered and may be reduced or increased by the DSC.
- 2 The Chairman of the DSC (Disciplinary Chairman) is appointed by and is a member of the Game Development Committee. He will have been accredited to sit in that capacity by the RFU. As a Sub Committee Chairman he has the authority to convene his own Sub Committee subject to ratification in June annually by the Game Development Committee. The Disciplinary Secretary who will also normally have been accredited by the RFU is also the Hampshire Youth Disciplinary Secretary (CBYDS).
- 3 The HRR shall be invited to nominate representatives to be an observer at Disciplinary Hearings.

- 4 The HSRFU Disciplinary Secretary (CSUDS) may be co-opted.

1203 Club Requirements and Preventative Procedures

- 1 Clubs are to promulgate a Code of Conduct based on HRFU Limited's Regulation, Advice and Guidance Note 13 and including the message in 1201 above. Clubs producing a Match Programme are encouraged to include their Code of Conduct in the Programme. The Club's Code should be displayed on the Club Notice Board and also in each changing room (where this practicable).
- 2 Club Officers and Coaches are to actively promote good discipline among their members, both playing and non-playing, on and off the field. In particular, Clubs are to ensure that the game is coached and taught within the letter and spirit of the Laws, and must not select players who neither follow the Code nor play to the Laws.
- 3 Club Officers should support all visiting match officials on and off the field, and should encourage an understanding and knowledge of the Laws from all their members.
- 4 Clubs are to appoint a Club Disciplinary Panel (Club Panel) and are strongly recommended to nominate a permanent CDO who will be responsible for all disciplinary matters within the Club. The CDO should be a member of the Club Committee and should make himself fully aware of the fifty pages of RFU Regulation 19 and must understand particularly the Recommended Sanctions for both adults and youth.
- 5 The Club Panel should normally include the Club Secretary, another Committee person and members from the playing side and the youth section. Smaller Clubs may choose to nominate three of their main Committee as the Panel. The Club Safeguarding Officer must be involved when the Club deals with cases involving any member of the youth section but should NOT be a member of the Club Panel.
- 6 Occasionally an aggrieved player who may have suffered actual harm may decide to report an incident to the police who may then instigate an investigation. It is imperative that as soon as the Club becomes aware of such a report and/or investigation that it informs the County Office immediately, regardless of whether there has been a sending-off report or a formal citing. The County Office will inform the RFU Disciplinary Manager as soon as possible of all such reports. The RFU are able to make contact with the relevant forces and initiate a dialogue which may speed up the investigation and hopefully resolve the case one way or the other. This applies equally to youth as well as adult players.

1204 Sending-Off Action

- 1 The sending-off of any player, male or female, adult or youth, **must be reported to the County Office within 48 hours**, either by telephone to 01329 833022 but preferably by e-mail to hampshirerugby@yahoo.co.uk. This is mandatory whether or not the match official sending the player off is a Hampshire Rugby Referee, a Club Referee or a Coach. Match Officials are required to report any sending-off or case of verbal or physical abuse on the relevant forms within 48 hours. Guidance and report forms are available on the HRR website <https://hantsrefs.co.uk/>
- 2 It is neither in the Game's interest nor the Club's interest to attempt to hide a disciplinary offence just because the referee may not know the correct procedure. Be aware that such cover-ups have a nasty habit of being discovered. Failure to report any sending-off within **48 hours** will incur a fixed-penalty. All Team Managers and Coaches should be made aware of this.

1205 County Action

- 1 When a Sending-Off Report or a Match Official Abuse Report is received the Disciplinary Secretary will
 - a) allocate a Case number and record details.
 - b) prepare a joint Plea Form/Preliminary Notice of Hearing.

- c) send this Form and the Report by e-mail to the Club Secretary and the CDO; the Disciplinary Chairman and Secretary; other members of the DSC and the Finance Chairman; and the Secretary and Discipline Officer of the HRR.
 - d) advise the match official/citing club of the provisional date and time of the Hearing.
- 2 Depending of the nature of the Case and following consultation with the Disciplinary Chairman or Secretary, the Executive Director may refer a Case to the RFU Disciplinary Officer for action.
 - 3 Similar action will be taken for Citing Reports following the RFU set procedure.

1206 Club Action

- 1 A player sent from the field of play is immediately provisionally suspended until completion of a County disciplinary hearing.
- 2 On receipt of the Report the CDO must pass a copy to the player or other person (the alleged offender) concerned. He must then convene a Club Disciplinary Hearing. This should not be held before the Report has been received.
- 3 Guidance on the conduct of and the standard order of proceedings for a Disciplinary Hearing are shown after Appendix 7 of RFU Regulation 19 in the RFU Handbook. The recommended sanctions for particular offences must be followed. Advice on the conduct of hearings may be obtained from the Disciplinary Secretary.
- 4 At the Club Hearing, the alleged offender should state if he accepts the report, whether he wishes to plead Guilty to the charges and that he wishes the DSC to deal with the case in his absence. If he wishes to plead Not Guilty, he is required to attend a DSC Hearing in person to challenge the report. A plea of Not Guilty does not change the provisional suspension; thus, it is imperative that any such plea must be communicated to the County Office at the earliest opportunity by phone or e-mail to enable a Hearing to be convened.
- 5 At the Club Hearing the Club Panel must decide if it considers the alleged offender to be guilty or not guilty. If it is a guilty decision the Panel must categorise the offence as being at the Lower End, the Mid Range or the Top End of the scale of seriousness in order to identify the appropriate entry point for any sanction.
- 6 A period of suspension starts the day after the incident. A recommended sanction may be reduced for a guilty plea or increased if there are previous guilty findings. Guidance is in the RFU Regulation.
- 7 The CDO must return the completed Plea Form by first class post to the Disciplinary Secretary or it may be scanned and sent as an attachment to an e-mail. This Form must be fully completed to show the player's date of birth and registration number, the entry point and the penalty awarded; it must be signed by the person named (unless circumstances prevent this) and counter-signed by the CDO. If the Plea Form is returned by post it is to be returned with a Club cheque payable to "HRFU Ltd" for the fixed-penalty specified on the Form, even if it is a Not Guilty plea. If it is returned electronically the payment of the fixed-penalty must be made on-line to the HRFU Ltd bank account the details of which are shown on the Plea Form, Confirmation of payment must be made in the e-mail to the Disciplinary Secretary.
- 8 If a County Hearing is requested, or if the Disciplinary Secretary states one will be held, the Club will be advised of any reasonable expenses the Club might be required to pay. The cost could be considerable for a match official from out of county who may have to stay overnight following the Hearing. Sometimes it may be possible for a conference call to be placed to enable the match official to contribute without attending the Hearing.

1207 The County DSC Hearing

- 1 The Plea Form will state the time and date of the Hearing. If the alleged offender provides a prior reason for not being able to attend, he will be given an alternative date when the case will be heard regardless. The period of provisional suspension remains until the Hearing.
- 2 The CDO should advise the alleged offender what to expect at the DSC Hearing, and should decide which of the Club's Officers or members will appear at the Hearing and whether or not the Club itself wishes to be represented. He should assist the offender in preparing for the Hearing. If there is video evidence to be viewed then it is the CDO's responsibility to ensure the necessary equipment is available to show it.
- 3 The alleged offender should decide whether he wishes to be represented by a person of his own choice at the Hearing.
- 4 Those present will include three or four members of the Panel, the Disciplinary Secretary, the alleged offender, a Club Officer, the Match Official, any legal representatives, witnesses, a character witness and an observer from the HRR.
- 5 The alleged offender will be advised in advance of those on the Panel; he may state his objection to any member dealing with his case in writing in advance to the Disciplinary Secretary.
- 6 The Hearing will be adjourned by the Chairman if he has been or is made aware that the case is the subject of police investigation or criminal or civil law proceedings.
- 7 CDO's should be aware that the DSC may reduce or increase any Club suspension which it believes is inconsistent with the sending-off report.
- 8 When the Chairman announces the decision, he will include any monetary penalty to be paid. If the decision is that the offence has not been proven there will be no monetary penalty other than any which may have been incurred by a failure to adhere to these regulations. If the offence is proven then the monetary penalty will include the cost of the match official's expenses, the standard fixed-penalty or an increased fine and any other penalties or costs incurred.
- 9 If an offender fails to appear at a Hearing without previously providing a reasonable excuse, he may incur an additional fixed penalty even if subsequently he is found not guilty of the offence.

1208 After the DSC Hearing

- 1 The Disciplinary Secretary will provide a written judgement to the RFU and the Club Secretary and will advise the Secretary of the Match Official's Society or the Secretary of the Citing Club, as appropriate.
- 2 The results of all cases are referred to the Game Development Committee for ratification.
- 3 The names of offenders found guilty, the law infringed and the penalties awarded will be included in the Annual Report and may in exceptional cases be made available to the local press.

1209 Players under 18 years of age

- 1 Any player under 18 sent off while playing in an Adult or Under 18 Colts Are these now dealt with under youth discipline? match will be dealt with as an adult player under the above procedures. This includes automatic suspension until the case is decided.
- 2 The Club Panel (not its Youth Committee) is to consider the case of any player in the Under 13 to Under 18 Age Grades sent off or cited for an offence in a youth match. Procedures are as specified in the RFU Handbook. Normally at least one of the player's parents or guardians and the SGO should be present at the Club Hearing. Any sanction (which is specified in matches, not weeks) must take into account both club and school matches.

- 3 The CDO must inform the County Office as soon as possible of the Club Panel decision by returning the Plea Form to the County Office within fourteen days. If the offender is still at school the Disciplinary Secretary will inform the CSUDS who will advise the Head Teacher.
- 4 Inappropriate behavior by mini/midi players is to be dealt with in the first instance by the Head Coach for the age grade.

1210 Touchline Behaviour

Reports of inappropriate touchline behavior not dealt with at the time are to be made in accordance with Regulation, Advice and Guidance Note 9 – Complaints.

1211 Citing for Foul Play undetected by a Match Official

- 1 The procedures are set out in the RFU Regulation 19 and must be followed explicitly. If video evidence is to be introduced then the citing Club must provide a second copy of the video for the use of the alleged offender prior to the Hearing. It is essential that accurate details are provided. Witnesses must be available to attend to confirm the allegations including for example being able to confirm exactly actions taken and words used.
- 2 A cited player is presumed innocent until proven guilty.
- 3 The Disciplinary Chairman and Secretary will decide whether a person cited has a case to answer and whether any video-recorded evidence is admissible. The procedure thereafter will be that used for a Sending-Off Report.

1212 Clubs with a Bad Disciplinary Record

- 1 RFU Regulation 19 empowers the Disciplinary Secretary to summon a Club with a bad disciplinary record to attend a disciplinary hearing.
- 2 The DSC will take into account the volume of matches being played in a Club, taking adult and youth as two separate entities. Thus, the Officers of a Club with one or two teams are more likely to be invited to appear before the DSC for fewer sendings-off than Clubs with three or more teams.
- 3 Penalties awarded against Clubs may include a Fine and may extend to all teams and all members and, if involving suspension from the Hampshire Rugby Football Union Limited would include suspension from all Competition Rugby and would prevent allocation of international tickets by the RFU.

1213 Channel Islands

- 1 Powers are also vested in Panels on Guernsey (which shall include Sark) and Jersey. The Guernsey and Jersey Rugby Associations shall nominate the Chairman and members of each Island Panel respectively. The Chairman of each Panel is responsible to the Hampshire Disciplinary Chairman for the conduct of hearings. After consultation with the Panel Chairman, these powers may be withheld for certain cases, in exactly the same way that the RFU may take over disciplinary action from HRFU. Additionally, a Chairman may request that the DSC deal with a case.
- 2 All mainland Disciplinary Procedures apply equally to Channel Island Clubs.
- 3 The Administrative Officer will also send a copy of the documents at 1205 to the Panel Chairman who may convene a local Hearing. This can be in lieu of a Club Hearing.
- 4 The Panel Chairman will report the findings and will return all the documents to the Disciplinary Secretary.

1214 Fixed Penalties, Fines and Finance

- 1 Fixed Penalties and maximum Fines will be set by the Game Development Committee and will be shown each year in the Handbook.
- 2 A Standard Fixed Penalty is applicable to all adult offenders found guilty.
- 3 Additionally, whether a case is proven or not, Fixed Penalties will be levied, without notice, on Clubs which fail to:
 - a) Report any sending-off within 48 hours;
 - b) Return the Plea Form and confirmation of on-line payment or a Club cheque for the Standard Fixed-Penalty within 14 days.
 - c) Ensure an Offender appears at Hearing;
 - d) Pay any fixed penalty, fine or costs within the specified time.
- 4 The Club of any guilty person may be required to pay the costs, or a part thereof, of the Hearing which may include but not be restricted to the costs of a Match Official attending the Hearing.
- 5 The amount of any Fine, and the costs or part thereof which a Club is required to pay and the date by which it must be paid, will be announced at the Hearing at the time the penalty is announced.
- 6 The balance of the total sum announced must be paid by the Club within twenty-one days or by the date specified. If this is not paid by the date specified any period of suspension will continue until such time as the sum has been paid in full.
- 7 The Club may recover its costs from the offender if it so wishes, but is still required to pay on-line or by means of a Club cheque in the first instance.
- 8 In the case of a citing or a Rule 5.12 case where the complaint is not proved, the person or Club citing or making the complaint under Rule 5.12 may be required to pay the costs, or part thereof, of the Hearing. In the case of a citing the costs may be recovered from the remittance submitted with the citing report.

1215 This Regulation does not apply to Associate Clubs in membership of another County Constituent Body.