



MACCLESFIELD RUGBY UNION FOOTBALL CLUB DISCIPLINARY POLICY & PROCEDURE

Ill-discipline from any MRUFC
member is UNACCEPTABLE

#RESPECT

Discipline is YOUR responsibility
Don't let ANYONE get away with Ill-
discipline

#CHECK&CHALLENGE

Guidance & Procedures



Accredited Club



Foreword

The Rugby Football Union's Core Values of Teamwork, Respect, Enjoyment, Discipline and Sportsmanship define our sport and make it special for players, coaches, match officials, administrators, volunteers and fans.

Fair, yet robust, disciplinary procedures are critical in ensuring that rugby remains a game of controlled physical endeavour, with the health, welfare and enjoyment of all involved protected. A defined and comprehensive disciplinary system protects rugby's image, integrity and values and, by observing the Laws of the Game, its Rules and Regulations, and reporting breaches, we are supporting rugby's values so that action can be taken, and further violations deterred.

We all have a part to play in the system that protects rugby's good name. This policy aims to help everyone involved in setting and maintaining standards of behaviour to understand and comply with the essential regulation underpinning the game's discipline and constraints.

RFU Regulation 19 provides the framework for dealing with all disciplinary matters.

19.1.5 states the following:

"The overriding objective of RFU Regulation 19 is to maintain and promote fair play, protect the health and welfare of Players (and others involved in the Game), ensure that acts of Foul Play and Misconduct (on and off the field of play) are dealt with expeditiously and fairly by independent means within the Game and that the image and reputation of the Game is not adversely affected."

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	FINAL FOR ISSUE	September 2019	Final for Issue
	FINAL	September 2019	Comments from RFU Incorporated

Macclesfield Rugby Union Football Club Policy Statement

Macclesfield Rugby Union Football Club (MRUFC) is committed to upholding the core values of Rugby Union, ensuring all players, match officials, spectators and members of the club are able to enjoy the game in accordance with the RFU Core Values.

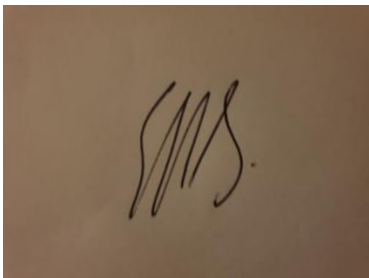
It is the Club's responsibility to deal with any act of indiscipline by players, and/or any supporters and spectators, or any club member who at any time uses threatening, abusive or insulting words or behaviour towards any other member or visitor to the club or in any way brings the club or the game into disrepute; such behaviour is deemed to include that which is displayed or communicated through the use of written, e-mail, telephone, voicemail, internet and other communication platforms such as social media.

It is an RFU requirement for every club to have a Disciplinary Policy and Procedure to manage and deal with such incidents, and to comply with RFU Regulations

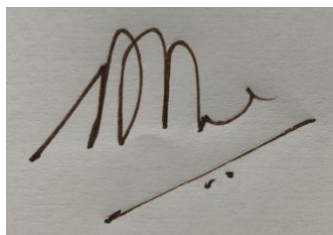
This policy and procedure are intended to demonstrate Macclesfield Rugby Union Football Club's (MRUFC) compliance and commitment to the upholding of RFU Regulation 19.

Signed:

Mr Stephen Branch
Club Chairperson

A handwritten signature in dark ink, appearing to be 'S Branch', on a light brown background.

Mr Bob Cooke
Club Secretary

A handwritten signature in dark ink, appearing to be 'B Cooke', on a light grey background.

Mr Phil Mason
Mini and Junior Chairman

A handwritten signature in blue ink, appearing to be 'P Mason', on a white background.

Dated: 11th September 2019

Definitions

Children

Children are defined in the Children Act 1989 as people under the age of 18 years. For the purposes of this Policy the legal definition applies.

Match Official

Any club, society or national league referee, assistant referee, touch judge including any volunteer acting in the capacity of referee, assistant referee or touch judge.

Senior Team

Any team belonging to the club consisting of players (male or female) aged 18 or over (or including an approved 17-year-old playing in a senior team).

Age Grade Team

Any of the Mini and Junior teams, including Junior and Senior Colts with players aged 5 to 18 on the 1st September of the relevant season.

Game.

Any game played whilst representing MRUFC, whether home or away in any union.

Regulations 19

Regulation 19 is the RFU Regulation which deals with Disciplinary matters. It is advisable for all involved with Rugby to be familiar with Regulation 19 and the requirements therein.

Constituent Body

The Constituent Body for Macclesfield RUFC is Cheshire RUFC. The Constituent Body is empowered to call disciplinary hearings and impose sanctions on registered players under regulation 19.1.10 and in accordance with rule 5.12.

Disciplinary Committee

MRUFC Internal Disciplinary Committee constituted under regulation 19. The panel shall consist of a Chair and two members of the Executive Committee.

Junior Disciplinary Committee

MRUFC Internal Junior Disciplinary Committee constituted under regulation 19 and in accordance with RFU Guidance on Age Grade Rugby Disciplinary Procedures. The panel shall consist of a Chairperson, the Mini and Junior Chairperson and the Club safeguarding Officer¹

CB Disciplinary Panel

Cheshire RFU Disciplinary Panel. The CB Disciplinary Panel may decide to escalate a case to the RFU Disciplinary Panel.

Club Disciplinary Officer / Deputy

Officers of the club appointed by the Executive Committee to implement this policy and procedures.

RFU Disciplinary Panel

The RFU disciplinary panel consisting of a chair and two independent members. The RFU disciplinary panel has the power to direct the CB or hear cases directly.

Undetected Offence

Any act of foul play, bad behaviour or match official abuse which was not detected by the referee or match official.

¹ The Club's Deputy Safeguarding Officer may attend in place of the Club's Safeguarding Officer

Core Values

Rugby Union is one of England's fastest growing team sports bringing new challenges and a need to promote the sport's strengths.

Core Values are: -

The RFU, in partnership with Premiership Rugby and the Rugby Players Association, promotes the Core Values to everyone from the England team to those in the grassroots game. The RFU Core Values are recognised and embraced by MRUFC and are reflected throughout this document.

TEAMWORK
RESPECT
ENJOYMENT
DISCIPLINE
SPORTSMANSHIP

Background Documents

This policy and procedure should be read in conjunction with the following documents;

- RFU Regulation 19 - [HERE](#)
- Cheshire RFU Discipline Guidance for RFU Clubs - [HERE](#)
- U13 to Adult Player Code of Conduct - [HERE](#)
- Coach Code of Conduct - [HERE](#)
- Spectator and Member Code of Conduct - [HERE](#)
- Age Grade Player Code of Conduct - [HERE](#)
- Age Grade Parent Code of Conduct - [HERE](#)

Age Grade Parents Code of Conduct Regulation 19 Duties

RFU Regulation 19 applies to all on and off-field disciplinary matters, whether dealt with by a club, CB or RFU Disciplinary Panel.

RFU Regulation 19.1.4 requires all clubs to cooperate with an RFU or CB disciplinary investigation or disciplinary proceedings.

Clubs are also required to appoint an Internal Disciplinary Panel to investigate and, subject to Regulations 19.5.2 to 19.5.4, take appropriate action on disciplinary matters and members' conduct, and to generally maintain discipline within their club. They must also ensure that their disciplinary process is conducted in line with the club's internal constitution/rules.

Regulation 19 appendix 2 outlines the sanctions to be applied for disciplinary panels.

All players and members of the club are required to cooperate with the RFU, CB or Club disciplinary process. Non-cooperation may result in a sanction in addition to any sanction for the offence under consideration.

Application of the Policy

The policy applies to ALL members of the club including the Executive Committee, staff, volunteers, players.

The policy also applies to all players, guests, spectators and visitors to the club.

Any player aged 18 and over playing in a senior match shall be subject to the Senior Rugby disciplinary Procedure. A player aged 17 years and over, playing in a senior game (or an U19 or U20 match) at the time of the offence shall also be subject to the Senior Rugby Disciplinary Procedure

Players in age grade games from U13 to U18 shall be subject to the Age Grade Disciplinary Procedure.

Any disciplinary matter arising in an U12 match and below shall be dealt with by the age-grade player's Coach.

Reporting Requirements

The requirements to report incidents, and the timescales are detailed in the policies below. It is imperative the timescales are adhered to, as failure to do so may lead to additional penalties being imposed upon the club, and damage to the club reputation.

Failure to report an incident that later comes to light may result in sanctions for that individual, team or age group being imposed by the club.

Disciplinary Procedure (including Women's) for age grade (U13 to U18) and Senior Rugby

RED CARDS

- 1.1 The Captain / Manager / coach of the team concerned **MUST** report the following details to the Club Disciplinary Officer with **24 HOURS²** of the sending off;
- Date and time of the sending off
 - Name of player
 - Age of the player (if under 18 years old)
 - Contact details of player
 - Playing position at the time of the sending off
 - Match details (league, opposition)
 - Referee name and society where applicable
 - Details of the incident including the reason for the sending off
 - Any other relevant information including mitigating factors
- 1.2 **Referees** (society or club) shall, in all matches report all red cards to the Disciplinary Secretary of the County Constituency Body of the players club on the RFU reporting form. The Referee Report shall also be sent to the Club Disciplinary Officer.
- 1.3 Any MRUFC player sent off shall be required to attend the relevant Rugby Disciplinary Panel. **Until such time as they have attended the panel they shall IMMEDIATELY be suspended from ALL future matches (including school matches if appropriate).**
- 1.4 The player sent off **REMAINS SUSPENDED** until such time as they have appeared in front of the CB Disciplinary Panel, regardless of any sanction applied by the Club Disciplinary Panel.
- 1.5 Any RED card for age grade players U13 to U18 **MUST** be reported to the Club Disciplinary Officer AND the Mini and Junior Chairman within **24 Hours²** of the sending off.

² This is **important** as it is a RFU requirement for the Club Secretary to report the details to the CB Disciplinary Secretary or CB Youth Disciplinary Secretary within 48 hours of the offence. Failure to do so incurs a financial penalty.

YELLOW CARDS

- 1.6 The Captain / Manager / Coach of the team concerned **MUST** report the following details of any player receiving a yellow card from a referee (club or society) to the Club Disciplinary Officer within **24 Hours** of the offence;
- Date and time of the card / temporary suspension
 - Name of player
 - Age of the player (if under 18 years old)
 - Contact details of player
 - Playing position at the time of the sending off
 - Match details (league, opposition)
 - Referee name and society where applicable
 - Details of the incident including the reason for the sending off
 - Any other relevant information including mitigating factors
- 1.7 Any YELLOW card for age grade players U13 to U18 **MUST** be reported to the Club Disciplinary Officer AND the Mini and Junior Chairman within **24 Hours** of the sending off.
- 1.8 A record of yellow cards shall be kept by the Club Disciplinary Officer and reported to the Executive Committee on a regular basis.
- 1.9 Any player accumulating the following number of yellow cards³ (in the course of any one season) shall be required to attend the relevant Disciplinary Panel

Number of Cards	Time Period (cumulative)
2	Consecutive matches
3	Any one season
1	Abuse of Match Officials

- 1.10 Please see [Regulation 19 appendix 1](#) for further details of yellow cards.

Abuse of Match Officials

- 1.11 Macclesfield RUFC will NOT tolerate abuse of match officials under ANY circumstances. This includes (but is not limited to);
- Referees (including 4th Referee)
 - Assistant Referees
 - Touch Judges
 - Pitch Marshals
 - Volunteers acting in any of the above capacities
- 1.12 This policy applies to **ALL AGE GROUPS**

³ Yellow cards issues only for technical offences shall not be counted for this purpose unless there are TWO in one match amounting to a Red Card.

1.13 Abuse includes, but is not limited to;

- Physical abuse
- Verbal abuse
- Online / social media abuse

1.14 Any player, coach or member of staff receiving a yellow or red card for abuse (or disrespect) of a match official will be required to appear before the relevant disciplinary panel.

1.15 For red cards, the player will be immediately suspended from further play pending their hearing at the relevant disciplinary panel and the CB disciplinary panel.

1.16 A player receiving a yellow card may also be suspended from further play at the discretion of the Club Disciplinary Officer in accordance with 1.9 above.

1.17 The club may automatically consider any match official abuse will be considered an aggravating factor with respect to sanctions (see appendix 2)

1.18 Any member of the club, or spectator asked to leave the pitch side will be liable (following reasonable investigation) to either a temporary or permanent ban from Macclesfield RUFC premises.

Undetected Foul Play

1.19 Any member, spectator or player who witnesses an act of foul play or bad behaviour by a player (of any club team) can report the incident to the Club Disciplinary Officer (via the Club Executive Committee if needs be). In the case of Junior players, the report should be made to the Mini and Junior Chairperson

1.20 Any MRUFC member reported under 1.7 above shall, at the discretion of the Club Disciplinary Officer be required to appear at the relevant disciplinary panel. In the case of serious acts of foul play / dangerous play or misconduct (in the opinion of the Club Disciplinary Officer), the player may be **summarily suspended** pending their appearance at the relevant disciplinary panel.

Citing

- 1.21 A citing may be initiated⁴ where there is an allegation that a player committed an act of foul play but has not been awarded a red card for that act. The citing must be in writing, stating;
- a) The date, venue and teams participating
 - b) Details of the alleged act of foul play including, as accurately as possible the point of time in the match, score at the time and position on the field when and where the incident is alleged to have occurred;
 - c) The identity of (or means of identifying e.g. Number) the player or players alleged to be guilty of foul play
 - d) Sufficient evidence to establish a prima facie case.
- 1.22 Any citation shall be reported to the Club Disciplinary Officer without **IMMEDIATELY**. The relevant disciplinary committee shall meet⁵ within 24 hours to determine whether there is a sufficient case to take forward any citing.
- 1.23 For further information on citing see [Regulation 19 appendix 4](#).

Acts of bad behaviour by players, members, spectators, supporters and visitors

- 1.24 All members, players and spectators are expected to adhere to the relevant code of conduct;
- Adult Player Code of Conduct
 - Coach Code of Conduct
 - Spectator and Member Code of Conduct
 - Age Grade Player Code of Conduct
 - Age Grade Parents Code of Conduct
- 1.25 Any member, player or spectator who witnesses an act of bad behaviour at any time by any club member, visitor or spectator, of whatever age, can report the incident to the Club Disciplinary Officer (via the Club Executive Committee if needs be).
- 1.26 In the event it is alleged that a club member has acted in breach of the codes of conduct, or in a manner prejudicial to the interests of Macclesfield RUFC the Club Discipline Officer shall arrange for the allegation to be investigated by the Executive Committee. Any complaint must be forwarded to the Club Disciplinary Officer (via the Club Executive Committee if needs be) within 72 hours of the alleged incident.
- 1.27 If, on initial investigation the Club Disciplinary Officer is satisfied there is substance to the allegation they shall appoint a minimum of 2 members of the Executive Committee (who have previously not been involved) to investigate the allegation.

⁴ Only Unions, Constituent Bodies, Clubs or an accredited referee assessor / advisor may cite. Spectators cannot cite.

⁵ This meeting may be by means of a telephone conference or other remote working (e.g. electronic communications).

1.28 The investigation shall be undertaken in the following manner;

- The member, player, spectator or supported shall be informed of the allegation made against them and given an opportunity to respond.
- Any witnesses (identified by the complainant OR the defendant) shall be asked for their version of events. Witnesses cannot be compelled to give evidence however if they do, they should be advised they are required to maintain confidentiality in the matter.
- The evidence should then be presented to the relevant Disciplinary Committee

1.29 If following investigation, on the balance of probabilities the disciplinary committee is satisfied the allegation is proven the disciplinary panel is empowered to impose such penalties as it thinks appropriate (taking into account mitigating factors) including expulsion / banning from the club and / or financial penalty.

1.30 Any financial penalty shall be payable within 14 days of receipt of the written decision of the disciplinary panel, or in the case of an appeal the appeal panel. Any member failing to comply with the decision / findings of the process shall be automatically suspended from membership of Macclesfield RUFC until such time as they comply.

Under 17s Playing Adult Rugby

1.31 No U17 player (male or female) is permitted to play adult rugby (at any level) without permission from the club. Any player, or coach found in breach of this policy may be subject to disciplinary action by the club and / or the CB disciplinary body. Please see Regulation 15.5 and 15.6 which explain the two-step process to be followed.

1.32 Any coach wishing to play U17 in adult rugby **must** seek advice from the club.

Age Grade Disciplinary

1.33 The age grade disciplinary process shall be followed in cases of Red and Yellow cards (outlined above) and other incidents of poor behaviour or conduct not in the interests of Macclesfield RUFC.

1.34 Age grade disciplinary procedures shall be in accordance with RFU Regulation 19, appendix 6, Regulations 15 and 19 and Regulation 21 (Safeguarding).

1.35 The Age Grade Variations (below) shall apply to players, members and spectators in age grades U14 to U18

1.36 Any hearing / process with respect to age grade players shall be conducted with the players welfare as the primary consideration.

- 1.37 Any disciplinary investigation or hearing for age grade players shall involve the Club Safeguarding Officer or Deputy Club Safeguarding Officer.

Disciplinary Panel (Adult)

- 1.38 The Disciplinary Panel shall consist of
- Club Chairperson (who will chair)
 - Club Secretary (who may chair in the absence of the Chairperson)

AND;

For a Male Rugby incident

- Head Coach of the 1st XV
- Relevant Team Captain
- Club 1st XV Captain
- Senior Club Coach

OR;

For a Women's Rugby incident

- Women's Head Coach
- Women's Team Captain
- Senior Club Coach

- 1.39 The disciplinary panel quorum shall be a **minimum of THREE** members from the above in 1.26. In exceptional circumstances (for example expediency) **TWO** members from the above in 1.26 may constitute the panel.
- 1.40 In the case of hearings for red cards / yellow cards, citations or misconduct of a player, the Club Disciplinary Officer shall attend the hearing to present the case. In other cases, the person(s) who investigated the allegation shall attend to present the case.
- 1.41 Any evidence collected by the Disciplinary Officer (for example witness statements) shall be made available to the player, member or spectator (defendant) at least 24 hours prior to the hearing taking place. Where this is not possible the defendant shall be given reasonable time before the hearing to view such evidence (if necessary, with their representative).
- 1.42 The panel shall convene as soon as possible after the incident but in any case, within **5 days of the alleged incident**. In the event a CB disciplinary panel is called before the Club Disciplinary Panel, the CB panel shall have priority.

- 1.43 The player, member or spectator (the defendant) shall also attend the panel. They shall be entitled to bring with them one person of their choice to support them at the hearing. The person supporting the defendant may not answer questions on behalf of the defendant, however may request reasonable adjournments to support the defendant.
- 1.44 At the invitation of the chair, others may attend the meetings such as other team captains, coaches, managers and players representatives. In such cases these people may provide information and ask questions but cannot take part in the decision-making process.
- 1.45 The committee may also receive evidence (in writing or verbally) from any other person(s) who witnessed the incident or was involved in it.
- 1.46 The hearing shall be conducted in accordance with RFU regulation 19. The chair shall appoint a minute taker. Minutes of the hearing and details of any decisions made shall be shared with the panel members, the defendant, the Club Disciplinary officer and the Executive Committee.
- 1.47 The outcome of the hearing may be publicised by the CB / Club

SEE APPENDIX 1 FOR THE PROCEDURE DURING HEARINGS

- 1.48 The disciplinary panel shall have the power to decide upon one or more of the following, IN ADDITION to any sanctions applied by the CB or RFU disciplinary committee;
- No further sanction / punishment (sending off sufficient)
 - No further sanction than the CB applied
 - Escalate / leave the matter to the CB / RFU disciplinary committee
 - Apply a sanction in accordance with Regulation 19 appendix 2
 - Sanctions outlined above
- 1.49 A player appearing on a Red Card offence **remains suspended until the CB hearing has taken place** regardless of the sanction applied by the Club Disciplinary Panel.
- 1.50 The CB or RFU Disciplinary Panel hearing may uphold, vary or increase the sanction applied by the club. The club will abide by the CB panel's decision.

Variations for Age Grade Disciplinary Panel

- 1.51 The Age Grade Disciplinary Panel shall be conducted in accordance with the RFU Guidance on the Age Grade Rugby Disciplinary Procedures - [HERE](#). The hearing will be held in an informal setting, with the player's welfare central to proceedings.
- 1.52 The panel shall consist of a **MAXIMUM of three** members made up of;
- Mini and Junior Chairperson (who will chair the hearing)
 - Club Safeguarding Officer (or Deputy Safeguarding Officer)
 - Relevant age group head coach or their nominated deputy

- 1.53 The player shall attend with their parent(s) / nominated guardian / carer.
- 1.54 The panel shall be convened as soon as possible after the offence, taking account of the players educational and family commitments. In the event a CB Age Grade Disciplinary Panel is convened (on instruction of the National Age Grade Disciplinary Secretary) the player will be required to attend that panel.
- 1.55 Careful consideration will be given if there is a need to invite any other persons to the meeting (witnesses etc) to avoid the situation becoming overbearing.
- 1.56 The meeting shall be held in a “round table” format rather than across a desk. Every effort shall be made to ensure the hearing has an informal and relaxed feel.
- 1.57 Any sanctions applied shall NOT be publicised in a way which identifies the player by the club or the CB and shall only be made known to the members of the panel, the Club disciplinary Officer (for record keeping purposes) and if a decision is solely reached by the Club disciplinary panel as required to the CB.
- 1.58 Sanctions / penalties applied shall take into account the age of the player and should not be so severe as to discourage a player from continuing to play rugby in the future (subject to the seriousness of the alleged offence).
- 1.59 Financial penalties or costs shall not be imposed on an age grade player.

SERIOUS OFFENCES

- 1.60 In accordance with RFU Regulation 19.1.14 the following offences are EXCLUDED from the Club Disciplinary Policy and will be IMMEDIATELY escalated to the RFU Head of Discipline;
- Players dismissed from the field of play during County Championship Matches
 - Breaches of RFU regulations 6, 10 and 21 (anti-corruption, betting, medical and anti-doping)
 - Breaches of RFU regulation 21
 - Cases involving serious injury
 - All cases under investigation by the Police
 - All cases involving racially aggravated verbal or physical abuse
- 1.61 In such cases, the Executive Committee shall be informed as soon as possible of the details and the action taken.

Appendix 1: Disciplinary Hearing Process (Adult) – Regulation 19 Appendix 7

- 1 The hearing will take place at Macclesfield RUFC (unless there are exceptional circumstances as to why this cannot take place).
- 2 The Chairperson will introduce the panel members, and their role within the club.
- 3 All other attendees will be asked to introduce themselves
- 4 The Chairperson appoints someone to take the minutes of the hearing.
- 5 Chairperson to confirm there are no objections to the constitution of the panel. In the event there is an objection the reasons will be considered and if the objection is considered reasonable and significant⁶ the Chair may agree to adjourn the hearing until the matter can be resolved. Any objection and the outcome of the chair's decision should be recorded.
- 6 The Chairperson shall then read the following;

“This is a formal meeting of the Macclesfield RUFC Disciplinary Panel convened under RFU Regulations 19.5.2 to 19.5.4. In a moment I will read the charge for which we are meeting, and we will then follow the process outlined in RFU Regulation 19, appendix 7. In brief, <NAME OF DEFENDANT> will be asked whether they accept the charge, or deny the charge.

If you accept the charge you will be asked to talk us through the incident, and you will have an opportunity to present any mitigation. We may ask others in attendance to present any aggravating factors they consider relevant, and we will ask you about your previous disciplinary record.

If you deny the charge the (Club Disciplinary Officer / Investigating Committee Member / Referee) shall be asked to present the case against you. You will then have opportunity to ask questions. Following this you will be asked for your account of the incident, and the ((Club Disciplinary Officer / Investigating Committee Member / Referee) will be able to put questions to you.

In either case, the panel will then retire to consider the outcome, on the balance of probability and taking into account all factors presented to the panel.

The outcome will then be given, to which (if applicable) you shall have the right of appeal.

Chairman then reads the Charge and asks the defendant if they accept or deny the charge.

⁶ A reasonable and significant objection must be a matter which is likely to prejudice the outcome of any hearing. For example, the prior involvement of a panel member with the case, or information presented to suggest a member of the panel is prejudiced. It is not *normally* a sufficient reason if the defendant simply “doesn’t get on” with a panel member.

If the defendant ACCEPTS the charge

- 7 The defendant will be asked to talk through the incident. During this time, he / she may be asked to talk through any video footage (if available)
- 8 The defendant will then be asked to put forward any mitigation (Regulation 19.11.5).
- 9 The opposition club (in the case of a citing that a club is dealing with) may wish to make submissions on any aggravating factors (Regulation 19.11.5(b))
- 10 The player will then be asked by the panel about their previous disciplinary record (Regulation 19.11.5(c))
- 11 The Panel then deliberates (in private). If this is likely to take a significant time the meeting may be adjourned and reconvened at a later date. This should not normally be more than 2 days from the date of the hearing.⁷
- 12 In deliberating the panel is to consider;
 - Seriousness of the incident (Regulation 19.11.8)
 - The entry point in line with the sanctions table (Regulation 19 appendix 2)
 - Aggravating factors (if any) (Regulation 19.11.10)
 - Mitigating Factors (if any) (Regulation 19.11.11)
 - Determine the appropriate sanction
- 13 The parties are then called back into the room (or the meeting reconvened) and all parties advised of the decision at the same time.
- 14 The player should then be advised of the right of appeal, and advised of any order for costs

If the defendant DENIES the charge

- 15 The party bringing the charge (Club Disciplinary Officer, Investigating Committee Member etc) shall present the facts of the case. Any evidence such as video evidence should be shown.
- 16 The referee should be called to give their evidence
- 17 Witnesses / referees can present their evidence (in person or by phone / skype / facetime).
- 18 The player or his/her representative will then be given opportunity to ask questions of the witnesses, the referee and the party bringing the charge.
- 19 The panel then have the opportunity to question witnesses and the player.⁸

⁷ Consideration should be given to the potential stress the process has on a player.

⁸ Note the player's representative MUST NOT answer questions on behalf of the player

- 20 The Panel is adjourned, and the panel deliberate in private whilst consideration is given whether there is a case to answer.
- If the party bringing the charge has failed to make the case, the charge shall be dismissed, and the panel shall reconvene the meeting and advise all parties (including giving reasons). Note the player may remain suspended pending a CB hearing⁹
- 21 If the party bringing the charge has established there is a case to answer, the player shall be asked to present evidence of their version of events. This may include a review of the video evidence.
- 22 The player shall be allowed to call witnesses to present evidence.
- 23 The other parties shall have the opportunity to ask questions of the witnesses and the player.
- 24 The Panel then deliberates (in private). If this is likely to take a significant time the meeting may be adjourned and reconvened at a later date. This should not normally be more than 2 days from the date of the hearing.¹⁰
- 25 In deliberating the panel is to consider;
- Whether the charge is proved. If the charge is not proved, no further consideration is necessary.
 - Seriousness of the incident (Regulation 19.11.8)
 - The entry point in line with the sanctions table (Regulation 19 appendix 2)
 - Aggravating factors (if any) (Regulation 19.11.10)
 - Mitigating Factors (if any) (Regulation 19.11.11)
 - Determine the appropriate sanction
- 26 The parties are then called back into the room (or the meeting reconvened) and all parties advised of the decision at the same time.
- 27 If the charge is not proven the case should be dismissed (including any order for costs).⁹
- 28 If the charge is proved the sanction (in 25 above) is applied and the player is advised of the right of appeal.
- 29 In ALL cases the decision of the panel is communicated within 48 hours to the player in writing and copied to the CB disciplinary officer.

⁹ Note: In the case of a Red Card, the player REMAINS suspended until the CB / RFU hearing, and the CB / RFU may determine a sanction is to be applied, which takes precedence.

¹⁰ Consideration should be given to the potential stress the process has on a player.

Appendix 2 – RFU regulation 19 Sanction Entry Points

NOTE: ANY ACT OF FOUL PLAY WHICH RESULTS IN CONTACT WITH THE HEAD AND/OR NECK SHALL RESULT IN AT LEAST A MID-RANGE SANCTION

9.11 Players must not do anything that is reckless or dangerous to others

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.12 A player must not physically abuse anyone. Physical abuse includes, but is not limited to:

Biting	Low-end: 12 weeks	Mid-range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Intentional Contact with Eye(s) ¹	Low-end: 12 weeks	Mid-range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Reckless Contact with Eye(s) ²	Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 208 weeks
Contact with Eye Area ³	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Punching or striking with hand or arm (including stiff-arm tackle)	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with the elbow	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with shoulder	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
Striking with head	Low-end: 6 weeks	Mid-range: 10 weeks	Top-end: 16+ weeks	Max: 104 weeks
Striking with knee	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Stamping or Trampling	Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 12+ weeks	Max: 52 weeks
Tripping	Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
Kicking	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks

^{1, 2 & 3} The “eye” involves all tissues including the eye lids within and covering the orbital cavity and the “eye area” is anywhere in close proximity to the eye.

RFU REGULATION 19 – DISCIPLINE (APPENDIX 2)

- 9.12 A player must not verbally abuse anyone. Verbal abuse includes, but is not limited to, abuse based on: religion, colour, national or ethnic origin, sexual orientation.**

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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- 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.**

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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- 9.14 A player must not tackle an opponent who is not in possession of the ball.**

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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- 9.15 Except in a scrum, ruck or maul, a player who is not in possession of the ball must not hold, push, charge or obstruct an opponent not in possession of the ball.**

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
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- 9.16 A player must not charge or knock down an opponent carrying the ball without attempting to grasp that player.**

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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- 9.17 A player must not tackle, charge, pull, push or grasp an opponent whose feet are off the ground.**

Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
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- 9.18 A player must not lift an opponent off the ground and drop or drive that player so that their head and/or upper body make contact with the ground.**

Low-end: 6 weeks	Mid-range: 10 weeks	Top-end: 14+ weeks	Max: 52 weeks
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RFU REGULATION 19 – DISCIPLINE (APPENDIX 2)

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Effective from 1 August 2019

9.19 Dangerous play in a scrum.

- a. The front row of a scrum must not form at a distance from its opponents and rush against them.
- b. A front-row player must not pull an opponent.
- c. A front-row player must not intentionally lift an opponent off their feet or force the opponent upwards out of the scrum.
- d. A front-row player must not intentionally collapse a scrum.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
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9.20 Dangerous play in a ruck or maul.

- a. A player must not charge into a ruck or maul. Charging includes any contact made without binding onto another player in the ruck or maul.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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- b. A player must not make contact with an opponent above the line of the shoulders.
- c. A player must not intentionally collapse a ruck or a maul.

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 8+ weeks	Max: 52 weeks
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9.25 A player must not intentionally charge or obstruct an opponent who has just kicked the ball.

Low-end: 2 weeks	Mid-range: 6 weeks	Top-end: 10+ weeks	Max: 52 weeks
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9.27 A player must not do anything that is against the spirit of good sportsmanship including but not limited to:

Hair pulling or grabbing	Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
Spitting at anyone	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
Grabbing, twisting or squeezing the genitals (and/or breasts in the case of female players)	Low-end: 12 weeks	Mid-range: 18 weeks	Top-end: 24+ weeks	Max: 208 weeks
Other	Low-end: 4 weeks	Mid-range: 8 weeks	Top-end: 12+ weeks	Max: 52 weeks
2 Yellow cards in a match	Please refer to the sanction table in Appendix 1 to RFU Regulation 19			

RFU REGULATION 19 – DISCIPLINE (APPENDIX 2)

9.28 A player must not disrespect the authority of a Match Official

Low-end: 2 weeks	Mid-range: 4 weeks	Top-end: 6+ weeks	Max: 52 weeks
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9.28 A player must not verbally abuse a Match Official. Verbal abuse includes, but is not limited to, abuse based on: religion, colour, national or ethnic origin, sexual orientation.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.28 A player must not make physical contact with Match Officials.

Low-end: 6 weeks	Mid-range: 12 weeks	Top-end: 18+ weeks	Max: 52 weeks
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9.28 A player must not use threatening actions or words towards Match Officials.

Low-end: 12 weeks	Mid-range: 24 weeks	Top-end: 48+ weeks	Max: 260 weeks
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9.28 A player must not physically abuse Match Officials.

Low-end: 24 weeks	Mid-range: 48 weeks	Top-end: 96+ weeks	Max: Life
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In respect of offences not referred to in Appendix 1, appropriate sanctions may be imposed at the discretion of the relevant Judicial Officer, Disciplinary Committee, Appeal Officer and/or Appeal Committee (as the case may be).

Notwithstanding the Sanctions in Appendix 1 and/or the provisions of Regulation 19 in cases where the player's actions constitute mid-range or top end offending for any type of offence which had the potential to result and, in fact, did result in serious/gross consequences to the health of the victim, the Judicial Officers and/or Disciplinary Committees may impose any period of suspension including a suspension for life.

Bad Disciplinary Record

When dealing with a Club under the bad disciplinary record provisions a Disciplinary Panel may impose any appropriate sanction, including (but not limited to) a reprimand, a financial penalty or deduction of league points or relegation, exclusion or disqualification from any competition, or a combination of the above. Sanctions may also be suspended if considered appropriate.

Under Age Players who train/play in Adult Rugby

This recommended sanctions table relates to an entry point for a first breach of RFU Regulation 15. The sanction may be increased to reflect aggravating features or reduced to reflect mitigating factors (see below). A second breach is likely to incur a significantly higher sanction.

RFU REGULATION 19 – DISCIPLINE (APPENDIX 2)

Classification of Breach	Description of Classification	Entry Point for Sanction
Low level breach	A player under the age of 18 trains with adults without required permission. No injury occurs.	Suspension of coach/person responsible for training for 4 weeks; and Club reprimanded.
Mid-level breach	<p>A player under the age of 18 plays with adults without required permission. No injury occurs</p> <p>A player under the age of 18 trains with adults without required permission. Injury occurs.</p>	Suspension of coach/person responsible for team selection for 3 months; and Team suspended from playing for 4 weeks; and Points deducted from club 1 st XV equating to 2 wins (possibly suspended); and Club reprimanded.
High level breach	A player under the age of 18 plays with adults without required permission. Injury occurs, or no injury occurs but player plays in the front row.	Suspension of coach/person responsible for team selection for 6 months; and Team suspended from playing for 3 months; and Points deducted from club 1 st XV equating to 4 wins; and Club reprimanded.

Aggravating features may include:

- Intentional breach of regulations
- Club failure to warn teams of regulation and consequences of breach
- Very young player
- Serious injury

Mitigating factors may include:

- Unintentional breach – Club did not know player was under 18 and it was reasonable to assume he was under 18
- Player nearly 18 years old
- Player capable of playing adult rugby and permission would have been granted had it been requested
- Injury not serious

Useful Contact Details

MRUFC

Club Disciplinary Officer	Jim Curtiss (07909 901412)
Club Deputy Disciplinary Officer	Tom Davenport (07961 839518)
Club Safeguarding Officer: -	Tristan Wood (07789 766391)
Deputy Safeguarding Officer: -	Andy Appleyard (07935 490960)
Mini & Junior Chairman: -	Phil Mason (07738 727638)

Cheshire RFU

CB Disciplinary Secretary	-	John Downham (disciplinarysecretary@cheshirerfu.co.uk)
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RFU

Head of disciplinary	-	David Barnes (disciplinerfu@rfu.com)
National Schools & Youth Disciplinary Officer	-	Ian Skillen JP (agegradediscipline@rfu.com)