

# WESTERN RUGBY FOOTBALL UNION

## DISCIPLINARY PROCEDURES

Revised: February 18, 2009

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### **I. JURISDICTION:**

**A. The WESTERN RFU Disciplinary Committee, composed of Chair, John Wolf (Missouri RFU), Scot Courtney (Texas RU), and Alan Osur (Eastern Rockies RFU)], is responsible for the following:**

1. Incidents at:
  - [a] Regional Leagues, Challenge matches, and Playoff matches for competitions managed and administered by the Western RFU.
  - [b] Territorial-Level Championship Events.
  - [c] Games involving clubs from two or more LAUs.
  - [d] Tournaments involving clubs from two or more LAUs.
2. Off field incidents (including those that reflect negatively on the image of rugby) involving a member club or its members at a location outside the club's or member's home LAU.
3. Appeals of decisions reached by member LAU Disciplinary Chairs or Committees.

**B. The USA RUGBY Disciplinary Committee is responsible for the following:**

1. Incidents involving a touring team from another union playing a United States team or at an event within the United States.
2. Incidents at a USA Rugby championship series event and the USA Rugby Premier League.
3. Unresolved differences between two or more Territorial Unions.
4. Appeals of decisions reached by Territorial Union disciplinary processes or procedures.

**C. The LAU Disciplinary Committee is responsible for the following:**

1. Incidents at all LAU events including all matches played within the LAU, except for those outlined above.

2. Off field incidents (including those that reflect negatively on the image of rugby) involving member clubs and/or their members, and supporters that occur within the jurisdiction of the LAU, except for those outlined above.

## II. DISCIPLINARY PROCEDURES

The following Disciplinary Regulations and Procedures, which incorporate those mandated by USA Rugby ([USA Rugby Disciplinary Regulations and Procedures](#)) will be enforced at all Western RFU Events and Matches. The West Disciplinary Committee and its LAU members Disciplinary Committees will follow the requirements of these regulations and procedures. The Western RFU recommends that every Club appoint a Disciplinary Panel charged with the responsibility of maintaining standards of discipline within the Club. The West Disciplinary Committee's function is to oversee the behavior of all Member clubs in matters relating to the game itself, and to the public image of Rugby at large. Therefore, actions both on and off the field may come under the scrutiny of this committee. Clubs are encouraged to take action against their own players, members, and supporters for actions detrimental to the game of Rugby. All clubs should insist upon a high standard of behavior from all their members and supporters. The West Disciplinary Committee will, at its discretion, consult with members of the Western RFC Executive Board and LAU Disciplinary Chairs on disciplinary issues.

[1] The referee should complete the Western RFU disciplinary form [online form on the Western RFU website] which will be delivered to the Chair of the West Disciplinary Committee no later than 48 hours after completion of the game. Additional follow-up may include communication by e-mail.

[2] The Chair of the West Disciplinary Committee, or a designee, will review the reports within three days of receipt. The West Disciplinary Committee shall act according to the guidelines in Section III below. The Chair of the West Disciplinary Committee will also liaise with the LAU Disciplinary Chair to determine if said player has any prior disciplinary record.

[3] If there are questions, the West Disciplinary Committee shall interview all those involved, and others at their discretion, and may request additional information and/or documentation of the incident.

[4] If a club that is party to a player send-off does not file a report with the West Disciplinary Committee, it will be treated as an undisputed send off.

[5] The West Disciplinary Committee will notify all relevant parties of the disciplinary action and will post the decision to the Western RFU website (under disciplinary actions) within four days of the decision being reached. The decision will also be transmitted to the LAU Disciplinary Chair. All yellow card and red card offences will also be posted to the Western RFU Website.

## III. DISCIPLINARY SANCTIONS

Please note that the USA Rugby sanctions/penalties for foul play are the **MINIMUM** that shall be imposed. Consequently, the West Disciplinary Committee can impose more severe sanctions/penalties than those outlined in these regulations and procedures, pending their review of the evidence. The West Disciplinary Committee, in consultation with the Western

RFU Executive Committee, is empowered to impose appropriate sanctions including, but not limited to, probation, suspension, and expulsion as deemed appropriate against individual members and/or clubs. The West Disciplinary Committee does not operate in the realm of the judicial system and cannot award compensation, or direct individuals or clubs to pay financial damages or restitution for specific incidents of misconduct.

#### **PLAYER(S) SENT OFF BY A REFEREE.**

**Any player who is sent off for the remaining duration of a match for any reason (except for a temporary suspension - Yellow card) is automatically suspended for eight days (or one match, whichever is longer) pending a review of the referee's report by the West Disciplinary Committee. The player has a right to a timely appeal.**

The referee, qualified touch judges, and the club or clubs involved must fulfill their responsibilities as required by Law 6A.14 and Law 6B.7.

#### **IV. SANCTIONS**

When a player is sent off the field for the following reasons, the sanctions shall be in the range set forth below. These penalties are inclusive of the automatic suspension (8 days or one match, whichever is longer).

##### **1. Non Violent Technical Infringements (holding, obstructions, game delay):**

First Offense; 8 days - 2 weeks  
Second Offense (within one year); 3 - 4 weeks  
Third Offense (within one year); two months

##### **2. Minor Physical Offenses (pushing, barging, over-the-top calls, early or late tackles):**

First Offense; 2 - 3 weeks  
Second Offense (within one year); 4 - 6 weeks  
Third Offense (within one year); 3 months

##### **3. Major Physical Offenses (kicking, punching, dangerous rucking):**

First Offense; 2 - 6 weeks  
Repeat Offense (within one year); 4 - 10 weeks

##### **a) If these offences were directed to the head or groin:**

First Offense; 3 - 12 weeks  
Repeat Offense (within one year); 6 - 12 months

##### **b) If this type of offense is directed at a player who is in a defenseless position, or situation, and/or in the referee's opinion was delivered with intent to injure, the suspensions shall be increased as follows:**

First Offense; increase by additional 6 - 8 weeks  
Repeat Offense (within one year); increase by an additional 3 -6 months

4. The suspensions noted above shall be interpreted as implying one week equals one regularly scheduled match, whichever is the longer suspension. Clubs accused and found guilty of scheduling additional fixtures to circumvent these regulations will be subject to additional penalties. For repeat offenses, the time calculation shall be the elapsed time since the last infringement. An individual shall be subject to the penalties for "second," "third" or "repeat" offenses only if there has been a prior suspension or disciplinary penalty imposed.

## **V. TOURNAMENTS**

Any club which is a member of the Western RFU that holds a tournament, of any kind, is obligated to ensure that the following disciplinary procedures will be followed:

[a] All red and yellow card incidents are to be reported by the Tournament Director and the Head of the referees to the West Disciplinary Committee no later than 48 hours after the completion of the Tournament.

[b] A player who receives a red card in a game is automatically suspended and can no longer participate in the remainder of the tournament under any circumstances. A full report of the red card incident needs to be obtained by the Tournament Director and the Head of the referees and submitted to the West Disciplinary Committee (regardless of whether the player belongs to a Western RFU member club or not) within 48 hours of the incident.

[c] The West Disciplinary Committee will determine the length of the suspension upon receipt of the incident report.

[d] In the event that a red carded player is allowed to play in the remainder of the Tournament, the club holding the Tournament and the club whose player was red-carded will be liable to sanctions, financial or otherwise, by the Western RFU.

It is recommended that clubs holding tournaments include these procedures in their Tournament program and/or handout to all participating teams at the tournament team meeting.

## **VI. PLAYER SENT OFF FOR OFFENSES AGAINST A REFEREE OR TOUCH JUDGE, OR A GAME RELATED OFFENSE REPORTED BY A REFEREE OR TOUCH JUDGE**

Due to the seriousness of these offenses these sanctions shall be strictly adhered to:

### **a) Persistent criticism/disputing of calls:**

First Offense; 1 - 3 games  
Second Offense (within one year); 4 - 6 games  
Third Offense (within one year); formal hearing.

### **b) Verbal abuse and/or threatening a Referee or Touch Judge:**

First Offense; 3 - 5 games  
Second Offense (within one year); 6 - 10 games  
Third Offense (within one year); formal hearing.

**c) Continuation of a) or b) above, and/or nonviolent contact with a Referee or Touch Judge after a sending off, or at the end of the match:**

First Offense; 6 months

Second Offense (within one year); one or more years

**d) Physical or Attempted Physical Assault of a Referee or Touch Judge on or off the field:**

1. Player is suspended immediately

2. A formal hearing must be held within two weeks of the incident, pending timely receipt of all reports and information. If the incident occurs at a USA Rugby event, then a representative of the accused party's home LAU Disciplinary Committee must be included in the hearing.

3. Unless overwhelming evidence is presented that would mitigate the situation a minimum suspension of five years will be assessed the guilty party.

## **VII. TRACKING OFFENDERS**

It is the responsibility of the West Disciplinary Committee to provide a written report to the National Office of USA Rugby of any action taken in Sections III and IV above. For all individuals suspended for three or more months the report must contain a recent photo of the suspended individual. USA Rugby will cause information on all but the automatic suspensions of a week, or one match, to be periodically circulated throughout the United States by, but not limited to: posting to a website, publication in USA Rugby materials, and other electronic or printed media. Any club that allows a suspended player to participate in matches while suspended will be subject to additional penalties by the Western RFU.

## **VIII. UNDETECTED FOUL PLAY/OFF FIELD CONDUCT**

A. When foul play occurs that is undetected by the Referee or Touch Judges it is the responsibility of the witness or witnesses to report it to the Referee as soon as practical after the match. If it is not practical to report the incident to the Referee the incident should be reported in writing to the West Disciplinary Committee within the same time-lines as noted in Section IIB above. Likewise, off field behavior that is detrimental to the image of the game of rugby should be reported to the West Disciplinary Committee in the same timely manner.

B. Upon receipt of these types of reports, the West Disciplinary Committee must contact the accused within seven days of receipt of the complaint and the accused member's contact information. Upon receipt of the response from the accused the West Disciplinary Committee will follow the procedures established in Section II above.

1. From this point forward the procedures of Section II should be followed including the opportunity for a hearing, and for the individual subject to the disciplinary action to review all the evidence prior to such a hearing.

2. Foul play incidents, if found to be true, should be dealt with as prescribed in Sections III and IV above.

3. Off-field incidents will be reviewed on a case by case basis. Allegations of misconduct determined to be true that places the game in disrepute are expected to be dealt with in the strongest manner. As a reminder, clubs are responsible for the activities of their members and supporters as they relate to the image of the game. Clubs are expected to provide for the discipline of their members and supporters who bring the game into disrepute.

## **IX. APPEALS PROCEDURE**

A. Suspensions handed down by LAU Disciplinary Committees and confirmed by the appropriate LAU Executive committee may be appealed to the West Disciplinary Committee.

1. A written notice of appeal must be made within ten days of receipt of the notice of suspension from the LAU Executive Committee. The appeal notice must be sent to the chair of the West Disciplinary Committee. A copy of the appeal must also be sent to the President of the LAU involved.

2. The Members of the West Disciplinary Committee shall be the Appeals Committee.

3. Levels of appeal – the progression of appeals shall be as follows: LAU Disciplinary Committee – LAU Executive Committee - West Disciplinary Committee – West Executive Board – USA Rugby Disciplinary Committee – USA Rugby Appellate Panel.

B. An individual or club may appeal a decision they feel is unjust. This does not apply to suspensions related to players sent off if the initial report was not addressed by the individuals, or clubs, deemed guilty.

C. A written notice of appeal must be made within ten days of receipt of the notice of suspension. The appeal notice must be sent to the chair of the West Disciplinary Committee. A copy of the appeal must also be sent to the President of the Western RFU. The West Disciplinary Committee shall initiate a hearing by contacting the Members of the Western RFU Executive Board who shall be the Appeals Committee.

D. The West Disciplinary Committee shall copy and forward all information regarding the case to all members of the Western RFU Executive Board. At the discretion of the chair, a hearing date and time shall be determined by the Western RFU Executive Board and sent to each member and to the appellant. Hearings will typically be in the form of a conference call, rather than a face-to-face meeting. Such details of the hearing shall be agreeable to all parties, subject to them not withholding such approval unreasonably. When and where possible, all correspondence may be by e-mail.

E. The Hearing

1. All parties involved shall be given an opportunity to present all pertinent information. The appellant may be represented by counsel.

2. Upon full review of the submitted appeal, the Western RFU Executive Board shall reach a decision by majority vote. A written copy of the decision shall be sent to the club and the appellant within ten days of the appeal being reviewed.

3. Decisions of the Western RFU Executive Board may be appealed if it is felt evidence was not entered, or if extreme bias was present. The appellant must notify the President of the Western RFU in writing within ten days of receiving the Executive Board decision. The President of the Western RFU shall gather all the material pertinent to the case and forward the material to the USA Disciplinary Committee, whose decision shall be accepted as per the the Bylaws of USA Rugby.

## **X. GENERAL INFORMATION AND REQUIREMENTS**

1. Reciprocity is mandated. Players and/or clubs sanctioned in one LAU are sanctioned in all LAUs.
2. All members of USA Rugby must keep their LAU, TU and National Office apprised of address changes.
3. It appears that a small minority of players has a disregard for fair play and the overall good of the game. This fact and the increasing mobility of American society make the following procedures necessary:

[a]. Each LAU within the Western RFU, and the Western RFU, shall maintain written records of all decisions reached and actions taken regarding all disciplinary matters within their jurisdiction. The information may be brief, but must include; the offending member's name, CIPP number, address, date and type of incident, action taken, etc. These files must be kept in a professional manner and passed to new chairs of the relevant Disciplinary Committees. The information is required in order to determine whether an individual is a repeat offender. This information is only to be used during the "sentencing" portion of any hearing, or action, and only if there has been prior disciplinary action taken. It may not be used to determine the guilt or innocence of the individual.

[b]. If an individual has been found guilty of an offense and the party moves to a new location, files pertaining to the incident(s) must be copied to the Disciplinary Chair of the LAU in the new location. This will ensure continued awareness of past problems, which will need to be addressed, if the individual is again accused of misconduct.

## **XI. THE USE OF THE "SIN BIN" & YELLOW CARD OFFENCES**

A player guilty of foul play (obstruction, unfair play, repeated infringements, misconduct, or dangerous play) shall either be ordered off, sent off the playing area for a temporary suspension, or cautioned that the player will be sent off if the offense is repeated. For a similar offense, after a caution or temporary suspension, the player must be ordered off.

If a player is subject to a temporary suspension then the player:

[a] shall remain behind the opponent's dead-ball line (the Sin Bin)

[b] shall take no part in play

[c] shall not communicate with teammates or opponents (including reserves, coaches, and supporters), and

[d] shall not enter the playing area to resume playing until permitted to do so by the referee.

Temporary suspension shall not be a substitute, or a prerequisite, for ordering off a player. If an offense warrants a player being ordered off, then the player must be ordered off. The maximum period of temporary suspension shall not exceed ten (10) minutes playing time, and the time is to be counted from the moment when the player reaches the opponent's dead-ball line (the Sin Bin).

When any player is sent off for a temporary suspension, the referee shall send in a report to the West Disciplinary Committee as if the player had been ordered off. This report must be received no later than 48 hours after the match has been played. The West Disciplinary Committee will keep a record of players who are sin-binned. In order to address the issue of repeat offenders and professional fouls, the following procedure will be implemented:

[a] If a player receives two yellow cards in a game that player will be ejected from the game and will receive an automatic minimum suspension of eight days, or one game [whichever is longer], pending a review by the West Disciplinary Committee.

[b] If a player receives a yellow card in successive games that player will receive an automatic minimum suspension of eight days, or one game [whichever is longer], pending a review by the West Disciplinary Committee.

[c] If a player receives 4 yellow cards during a competitive cycle, that player will receive an automatic minimum suspension of sixteen days, or two games [whichever is longer], pending a review by the West Disciplinary Committee.

[d] If a player receives 6 yellow cards during a competitive cycle, that player will receive an automatic minimum suspension of twenty four days, or three games [whichever is longer], plus a disciplinary hearing with the West Disciplinary Committee.

Any player suspended at the end of the competitive cycle will serve out their sentence beginning with the first match of the following competitive cycle. A competitive cycle is defined as beginning from September 1st to August 31st of the following year. Players who are suspended at the end of the normal fifteens season will be dealt with appropriately such that they do not use the sevens season to avoid a meaningful suspension. A two-day weekend tournament counts as one game.

## **XII. OUT-OF-STATE OFFENCES**

In any out-of-state game [including tournaments] involving a Western RFU club, it will be the full responsibility of the Western RFU Club to:

[1] report any yellow or red card offences to the West Disciplinary Committee within 48 hours of the offence[s] occurring.

[2] request that the referee submit a report to the West Disciplinary Committee.

[3] furnish the West Disciplinary Committee with the name and phone number of the referee - **APPLIES TO RED CARD OFFENCES ONLY.**

Any player who is red-carded in out-of-state game will be required to serve the mandatory minimum eight day or one game suspension (whichever is longer) pending review by the West Disciplinary Committee. If such a red-card offence occurs in a tournament, the player ejected is ineligible to play for the remainder of the tournament and the automatic suspension begins after the final game of the tournament. Any club that does not report yellow and/or red card offences in out-of-state games to the West Disciplinary Committee will face sanctions, as will the player who committed the offences.

### **XIII. CLEANING UP THE GAME**

In view of the growing number of complaints from the public nationwide, and the need to create an atmosphere in which parent of young players, families and sponsors will feel comfortable participating in the game, the Western RFU intends to take a very serious view of conduct that is contrary to the Object of the Game, which demands "fair play in a sporting spirit." All member clubs are required to ensure the game at all levels is run as a disciplined and sporting athletic endeavor, and the Western RFU is determined to play their part in fulfilling this obligation. Consequently, a very serious view will be taken of unsportsmanlike conduct, especially the gratuitous use of foul language and obscenities in a loud and provocative manner, both on and off the playing area, during play and stoppages, before and after the match, no matter who they are directed toward. Referees will enlist the aid of both captains if the problem arises from the touchlines. Club officials will be held responsible for eliminating such behavior beyond the playing area. This offensive kind of behavior is a major stain on the fabric of the Game in the USA and the Western RFU as the local guardian of the laws and ethics of the game are determined to stamp it out. Similarly, individuals who persistently criticize and dispute the decisions of referees and touch judges or verbally abuse or threaten physical assault of a match official will be severely dealt with by the West Disciplinary Committee. The Western RFU expects all affiliated clubs to get this message to their coaches, players and supporters and so obviate the need for more draconian action.

References: USA Rugby Handbook:

1. Acts contrary to good sportsmanship, law 10.4(k), (l)
2. Guidelines on the application of law, section 15, code of conduct
3. Disciplinary Regulations and Procedures, section III.D, player sent off for offences against a referee or touch judge.

### **XIV UNAUTHORIZED ENTRY TO THE PLAYING AREA**

The Western RFU would like to remind all affiliated clubs that coaches are not permitted to enter the playing area during a match except by invitation of the referee at half time, or other extraordinary occasions [Ref: law 6C.2, 3]. This applies to all matches, including youth and schools matches. Water carriers and medical personnel may enter the playing area by prior arrangement, or at the specific invitation of the referee. Referees are urged to be vigilant in applying this law to coaches masquerading as water carriers or trainers or to coaches entering the playing area uninvited at stoppages for injury, conversion kicks, and

the like, and to enlist the aid of the relevant captain in curbing such infringements. Penalties for unsportsmanlike conduct may be applied. All personnel properly within the playing enclosure must stay close to the perimeter rope unless performing their authorized function. They are not to approach or remain in close proximity to the touchline thus distracting or endangering the touch judge in the execution of his or her duties.

**West Disciplinary Committee Contact Information - see Western RFU Directory**