

DEVIZES RUGBY FOOTBALL CLUB

Affiliated member of
Dorset & Wilts. RFU



Member of the RFU
and England Rugby

Club Discipline Issued: August 2018

GENERAL

In the event of an on-field offence that leads to disciplinary proceedings (either by the Dorset & Wilts. RFU or by the RFU itself) against an adult, between the date of the offence and the date of the hearing the Club shall be proactive in conducting its own internal disciplinary process and in sanctioning the player(s) concerned in accordance with RFU Regulation 19.

Under the adaptations of RFU Regulation 19 generally and of Appendix 6 in particular, in the event of an on-field offence by a player to whom the Age Grade variations apply, the Club has a duty to carry out the disciplinary function anyway and to report the outcome to the Dorset & Wilts. RFU, who may either endorse any sanction imposed or call the case in to conduct its own hearing and impose its own sanction.

Any player, spectator, supporter or other person who has to appear before the Constituent Body Disciplinary Panel is reminded that he or she is personally responsible for payment of any financial penalty awarded, including the administration costs or fee involved.

In the event of any off-field offence or of a breach of RFU Regulation 20, the club shall deal with the matter as having brought the Club and the Game in to disrepute contrary to RFU Rule 5.12 and, subject to due process, the Club may issue a formal reprimand and/or impose a financial penalty, a suspension from playing, or from administration or both, or a ban from Club premises and grounds.

Conduct that in the view of the Management Board warrants the instant termination of membership is dealt with in accordance with Article 31 of the Club's substituted Articles of Association.

CLUB REGULATIONS FOR DISCIPLINARY PROCEEDINGS

Under RFU Regulations and under its own Constitution, the Club has a responsibility to deal with any act of indiscipline on the field of play by players, and/or by supporters and spectators on the touch line, or by any club member or visitor 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, or does not observe the Code of Rugby or perform in accordance with the Club Values as published from time to time. The appropriate appeal procedure will depend upon the nature of the incident and upon which part of these disciplinary regulations applies.

PART 1 SENIOR RUGBY: On-Field Offences and Referee Abuse
including Junior Players who are 17 years old at the time of
the offence / incident and are playing in a club adult match.

1.1 Player sent off (Red Card) by the referee, whether Society or Club

1.1.1 The team captain or manager **MUST** report the name, age, contact details and playing position of the player sent off with details of the opposition and any relevant facts to the Club Secretary within **24**

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hours of the sending off. This is important because the Club Secretary has to report the incident in writing to the Dorset & Wilts Discipline Secretary within 48 hours of the sending off.

1.1.2 In all adult matches the referees (whether Society or Club) must report all players sent off to the Discipline Secretary of the Constituent Body for the player's club using the RFU Discipline Report form, which is available from the Referees' Society or through the RFU website.

1.2 Player Sin-Binned (Yellow Cards) by the referee, whether Society or Club)

The team captain or manager must report the name of any player sin-binned (shown a yellow card) during a game to the Director of Rugby within 48 hours of the match by telephone, text or email. The Director of Rugby will keep a record and player, who in the opinion of the Director of Rugby, has accumulated an excessive amount of yellow cards will be asked to appear before the club's Disciplinary Panel to show cause why he or she should not be sanctioned.

1.3 Acts of Foul Play not Detected by the Referee or Match Officials

Any club member / player who witnesses an act of foul play or bad behaviour involving a member of an opposition team that has or has not been dealt with by the match official(s) may report the incident in writing to the Club Secretary, giving name(s) and details of the facts, as soon after the incident as possible, so that the club can consider a Citing. (Only Unions, Constituent Bodies and Clubs may cite, not an individual.)

1.4 Acts of Bad Behaviour by Players, Members, Spectators, Supporters or Visitors

Any member / player who witnesses an act of bad behaviour at any time by any Club Member, or visitor to the club, of whatever age, can report the matter to the Club Secretary or any member of the Management Board, so that the appropriate action can be taken.

1.5 The Disciplinary Process

1.5.1 The Club Secretary will delegate the disciplinary function to the Disciplinary Secretary, who will be responsible for investigating and taking action on any sending off, or any incident of foul play or bad behaviour by a Devizes player not detected by the Match Officials and instances where a player has been sin-binned an excessive number of times. The Disciplinary Secretary will also investigate and take action on any instance of indiscipline or bad behaviour by any club member, supporter or spectator.

1.5.2 The Disciplinary Secretary will formulate the charge, collate the evidence, convene the disciplinary panel, give notice of the hearing with copies of the evidence and follow the processes set out in RFU Regulation 19

1.5.3 The Disciplinary Panel will have the power, depending on its findings as to whether the charge is made out and, if so, as to the entry point based on the scale and seriousness of the player's conduct, to decide upon one or more of the following:

- a. No further punishment additional to the punishment of sending off.
- b. To take no action but leave the matter to the CB Disciplinary Panel.
- c. That the player (or other, person if the enquiry is into off-field incidents) be cautioned or severely cautioned as to his/her future conduct.
- d. A period of suspension from playing, or taking part in the administration of Rugby Union Football (within the Club context only), or both, be imposed on the player, member, supporter or spectator.
- e. Suspend or terminate membership of the club for such period as it thinks fit.
- f. Any other penalties or suspensions as it may think fit.

1.5.4 A record of the finding and any sanction imposed on a player, supporter, spectator, etc, will be kept on file for **3 years**. This penalty can be taken into account when deciding any future penalties at any subsequent discipline hearing relating to that member within that 3 year period.

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1.5.5 As the CB Disciplinary Panel has the final say on whether the findings and/or sanctions of the club's disciplinary panel were appropriate, any appeal under this part is made against that Panel's findings in accordance with the provisions of RFU Regulation 19.

PART 2 JUNIOR or AGE-GRADE RUGBY

2.1.1 The Club has a duty to deal with all Junior Discipline matters in accordance with Appendix 6 to RFU Regulation 19. Junior is defined as being a player under the age of 18 at the time of the offence, providing the player is playing in an U17 or U18 club match. (Any players who have reached their 17th birthday and are playing in either an U19 (Colts) or an adult match are classed as adults and will therefore be dealt with under the procedure outlined in Part 1 above.

2.1.2 All junior players who are sent off while playing in age-grade, colts or adult rugby matches will automatically be suspended from playing, irrespective of the referee being a member of a society or a club referee, until they have appeared before a club Disciplinary Panel.

2.2 Player sent off (Red Card) by the referee, whether Society or Club

2.2.1 The team coach or manager **MUST** report the name, DoB, contact details and playing position of the player sent off, with details of the opposition, the referee and any Referees' Society and any relevant facts to both the Junior Chairman and the Club Secretary within **24 hours** of the sending off. **This is important because the Club Secretary has to report the incident in writing to the Dorset & Wilts Discipline Secretary within 48 hours of the sending off.**

2.2.2 Referees whether Society or Club who red card a player who has reached 17 years of age (and is playing in an U19 [Colts] match) must send the report to the Discipline Secretary of the Constituent Body for that player's club. For all incidents involving Junior players, playing in club matches at any age group below and including U18, the referee whether Society or Club should send the report form to the Club Secretary and the relevant Junior Chairman within 48 hours of the incident. All reports should be on the RFU Discipline Report form, which is available through the RFU website.

2.3 Player Sin-Binned (Yellow Card) by a referee whether Society or Club

2.3.1 In the case of Junior Players the coach or manager of the relevant team should report the name of the player sin-binned (shown a yellow card) to the relevant Junior Chairman, who will keep a record of players who have been sin binned.

2.3.2 Any player who has been **sin-binned twice** in a season will be asked to appear before the Junior Discipline Sub Committee.

2.4 Bad Behaviour by Players, Spectators, Supporters and Visitors

2.4.1 Any member or player who witnesses an act of bad behaviour at any time by any Club Member or visiting supporter or spectator, of whatever age, can report the matter to the relevant Junior Chairman who will consult with the Disciplinary Secretary so the appropriate action can be taken.

2.4.2 For all incidents involving Junior players playing in club matches at any age group below and including U18, the referee whether Society or Club should send the report form to the Club Secretary and the relevant Junior Chairman within 48 hours of the incident.

2.5 Acts of Bullying

2.5.1 It is the responsibility of every adult working in rugby union to ensure that everyone, adults and all young people can enjoy the sport in a safe, enjoyable environment.

2.5.2 Bullying of any kind is not acceptable in any form or at any age at Devizes Rugby Football Club. Any instances will be taken seriously, responded to promptly, and procedures followed to deal with the situation. Rugby is a 'telling' culture and anyone who knows that bullying is happening is expected to

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report it to the Club Welfare Officer. He/she will follow the guidelines as outlined in the RFU Anti Bullying Policy.

2.6 Junior Disciplinary Panel

2.6.1 The Junior Disciplinary Panel shall consist of 3 people from the following:

- The Club Disciplinary Secretary
- The Chairman of Junior Section
- A member of the Club Management Board
- A member of the Junior Section

2.6.2 The Junior member is to be accompanied by a parent/guardian and can be represented by the age-group coach or another appropriate adult of his/her choosing.

2.7 Penalties

2.7.1 The Junior Disciplinary Panel shall follow the procedures and impose sanctions as set out in RFU Regulation 19, Appendix 6, taking in to account the age of the player and the seriousness of the offence.

2.7.2. A record of the findings and sanction imposed against any Junior player or spectator will be kept on file for **3 years**. This penalty can be taken into account when deciding any future penalties at any subsequent discipline hearing relating to that member within that 3 year period.

2.7.3 It is the responsibility of the Club to report the circumstances of the offence (together with the referee's report if available) and the findings along with any sanctions imposed, to the D&WRFU Discipline Secretary, so that the CB Disciplinary Panel may confirm or vary the same.

2.7.4 As the CB Disciplinary Panel has the final say on whether the findings and/or sanctions of the club's disciplinary panel were appropriate, any appeal under this part is made against that Panel's findings in accordance with the provisions of RFU Regulation 19.

PART 3

CLUB REGULATIONS FOR INTERNAL DISCIPLINARY PROCEEDINGS AGAINST MEMBERS AND OTHERS

(not applicable to playing, on-field and other offences that are otherwise dealt with in accordance with the RFU Disciplinary Regulations and processes as outlined in Parts 1 and 2 above)

3.1.1 The substituted Articles of Association of the Club as a company limited by guarantee provide for the Club to discipline members.

3.1.2 The RFU has power under Regulation 19 to pursue disciplinary proceedings against clubs for the actions of its players, its officials, its members, its employees and/or its spectators including in relation to alleged employees and/or its spectators alleged misconduct or breaches of Rule 5.12 (more commonly known as the offence of bringing the game in to disrepute).

3.1.3 Furthermore the RFU requires that each Club should have its own internal disciplinary panel responsible for investigating and taking appropriate action in relation to disciplinary matters and the conduct of its players, officials, members and employees, and for generally maintaining discipline within that Club.

3.1.4 Consequently, under these Regulations the Club Secretary and/or Disciplinary Secretary shall investigate and deal accordingly with any conduct prejudicial to the interests of the Club or the Game.

3.1.5 A Club member, player, official, employee or spectator shall be liable to termination or suspension of membership or to other appropriate punishment for

3.1.5.1 breaches of RFU Rule 5.12 and/or

3.1.5.2 behaviour or conduct that offends

(a) against the Core Values of Rugby or

(b) Club Values as published from time to time

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- 3.1.6 For the avoidance of doubt "appropriate punishment" shall include (but not be limited to) a reprimand, a financial penalty, a suspension from playing, or from administration or both, or a ban from Club premises.
- 3.2 The Club Secretary and/or Disciplinary Secretary shall have power to appoint a disciplinary panel to hold an inquiry or inquiries and to impose sanctions or take such action as it sees fit pursuant to the provisions contained or referred to in paragraph 1.1 to 1.5 above.
- 3.3 The disciplinary panel shall usually be chaired by the Club's Disciplinary Secretary and the quorum for such a panel shall normally be three members but exceptionally the hearing may proceed with a panel of only two, provided that all parties first agree
- 3.4 It shall be the duty of the Disciplinary Secretary to notify the member, player or other person of the date, time and place of the hearing and to provide details of the charge together with the evidence in support of the same.
- 3.5 It shall be the duty of the persons or players facing any charge or complaint to attend the hearing and also to notify and arrange the attendance of any witness they may wish to call.
- 3.6 Should persons or players facing any charge or complaint fail to attend the hearing then the disciplinary panel may either suspend their membership or impose such other sanctions as it may deem appropriate until such time as the player or other person does arrange to appear or may proceed in their absence and impose an appropriate penalty.
- 3.7 Where the player or other person appearing before a disciplinary panel is or is likely to be subject to civil or criminal proceedings arising from the circumstances that are the subject of the case, the disciplinary panel will decide whether it is in the interests of the Game or the Club to proceed. If it does not proceed to hear the case and adjourns the matter until conclusion of the other proceedings, it may impose a temporary suspension on the player or other person against whom the allegations are made. Before so doing however the disciplinary panel should first allow the player or other person an opportunity to make representations about temporary suspension.
- 3.8 Where an individual has been convicted of a criminal offence, the Disciplinary Secretary shall have power to sanction the individual without holding a full hearing.
- 3.9 The disciplinary panel will broadly follow the procedure laid down in RFU Regulation 19 for dealing with hearings and imposing sanctions. But the overriding consideration in any disciplinary procedures is that they should be fair and just.
- 3.10. Where the player or other person concerned is aggrieved by the decision made by a disciplinary panel under these regulations, they shall have the right (which must be exercised strictly within 3 business days of the decision in question) to consult the Club Secretary for the time-being, who shall have sole discretion to decide what should happen next, depending on whether the appeal is against finding or against sanction.

Specimen Charge

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and England Rugby

In the matter of:

Name
of Address

STATEMENT OF OFFENCE

e.g. Striking another Player with a hand, arm or fist, contrary to Law [??]

or

e.g. Being responsible for conduct prejudicial to the Club and/or the Game
and that was or is likely to bring the Club or the Game in to disrepute.

PARTICULARS OF OFFENCE

e.g. On Saturday 10 September, 2016 and in about the 21st minute of the second half, Name,
struck an opposition player during the match between the 2XV and [the Opposition].

or

e.g. Name has failed on more than one occasion (viz. Date 1 and Date 2) to pay the match fee of
£ due upon demand.

Dated:

Signed:

Disciplinary Secretary

Specimen Notice of Hearing

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To: Name
of Address

NOTICE OF HEARING

TAKE NOTICE that you are required to attend before a hearing of the Disciplinary Panel of Devizes RFC Limited (“the Club”) to be held at Time on Dayday, the Date day of Month, 20Year at Venue to show cause why you should not be liable to termination or suspension of membership of the Club or to other appropriate punishment on the ground(s) that: -

Particulars

- Set out particulars of charge, complaint or alleged offence

Copies of the following certificates and/or other evidence in support of the Club’s case are enclosed:
-

- List the documents in support

Dated: the Day of Month, 20Year.

Signed
[Office held]

Notes:

1. A copy of the Club’s Regulations for Proceedings against Members and Others is attached for your information.
- 2.1 Please let the Disciplinary Secretary know whether you accept the charge or complaint specified above; and, if so, whether you wish to be dealt with in your absence, in which case the Disciplinary Secretary will decide whether you must still attend the hearing; and
- 2.2 If you dispute the allegations, please let the Disciplinary Secretary know whether you wish the person(s) giving evidence in support of the charge or complaint to be invited to attend.
- 2.3 If you do wish the person(s) giving evidence in support of the charge or complaint to be invited to attend the hearing, you may be called upon to pay the travelling expenses of such person(s).
3. It is your responsibility to have available any evidence you may wish to call at the hearing.

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I, **NAME**, being the office held for the time being of Devizes RFC Limited (“the Club”) **HEREBY CERTIFY** [*or WILL SAY*] that: -

1. I have examined the books and records of the Club relating to individual of address.
2. As a result of such examination on my part I can confirm that, as at today’s date, individual of address has
or
2. [I am informed by of and] I believe that, as at today’s date, individual of address] has
 - (a) not paid the annual subscription that fell due for payment on or before 30 September, 20 ; or
 - (b) failed to maintain payment of the same by instalments, being £ in arrears;
 - (c) failed on more than one occasion to pay the match fee of £ due upon demand;
 - (d) ceased to satisfy the criteria and conditions for membership as determined by the Club under its Constitution;
 - (d) not conformed to reasonable directives by the Club as to his or her standards of play, administration or general behaviour;
 - (e) infringed the Rules of the Club, or any Rules or Regulations of the Rugby Football Union (“RFU”), the Laws of the Game or the iRB Regulations or is responsible for conduct prejudicial to the interests of the Club or the Game.

Particulars

insert details or particulars in support of (b), (c), (d) or (e) above

Dated the day of , 20 .

Signed
[Office held]