

# IRFU JUDICIARY PROCEDURES

## REGIONAL ASSOCIATION DISCIPLINARY COMMITTEES JURISDICTION AND PROCEDURES

### 1. **Regional Association Disciplinary Committees**

Each Regional Association shall set up a Disciplinary Committee (“the Committee”) which shall have power to act in the name of the Regional Association to hear and determine disciplinary proceedings within its jurisdiction in the following circumstances:

- (a) where a player is ordered off the playing enclosure
- (b) where a report is received from a Referee pursuant to Parts 3 and 5
- (c) where there is misconduct other than on the playing enclosure
- (d) where a player is required to appear before the Committee under the Sin Bin procedure hereafter prescribed

A member of the Committee who is a member of the same Club as the player or person against whom disciplinary proceedings are taken, the victim player or a complainant shall not be a member of the committee which hears and determines those disciplinary proceedings and shall not attend the hearing

The Committee (3 People) shall be made up of a Chairman and 2 independent members who have knowledge of rugby.

The committee will decide on penalty for any offence brought before it.

### 2. **Ordering Offs:**

All players ordered from the field of play incur a mandatory stand down for two playing days, (Playing days are weekend days) for example this could be two competition games plus one midweek game. State and or Regions are asked to supervise this stand down and any breaches will be treated very seriously by the various regional disciplinary committees.

### 3. **Sin Bin Rules**

A Player sin-binned on two occasions in a season shall be cautioned and warned that a further sin-binning will result in additional penalty. A player sin-binned on three or more occasions in a season will incur the mandatory stand down of two playing days. No hearing will be held. The player’s only evidence for appeal is mistaken identity. Players wishing to appeal must do so in writing through the **Region President or Regional Development Manager** by 4.30p.m. on the Monday or 48 hours after completion of the match following his third sin-binning. A hearing will then be held at the next scheduled judiciary meeting when the player and his support personnel will be required to appear and present their evidence.

### 4. **Citings:**

A complaint may be received by the **Region President or Regional Development Manager** from; clubs, referees, or any other person. It must be received within 48 hours of the

completion of the match and contain the following; the time, date and place of the alleged foul play, the name of the player in respect of whom the complaint is made, the Club the player in respect of whom the complaint is made, the Club the player represents, the name of the opposition Club, full details of the alleged foul play, and any other witness's.

## **5. Referee's Reports (and Touch Judges Reports):**

Must be in the hands of the **Region President or Regional Development Manager** or such authorized person by 4.30p.m on the Monday following the game. These reports will be considered by the judiciary committee Chairman and should it be deemed necessary to do so, the player's club will be advised that the player and his support personnel are required to attend a scheduled meeting of the judiciary for a hearing. The usual time and day for the hearing is 6.00pm on the Tuesday following the game. This will allow all parties to received and consider the referee's reports.

If the match is a midweek game then the report will be required from the match officials no later than 48 hours after the completion of the match and any hearing (if required) is to be held within 96 hours (4 days) of the conclusion of the match,

## **6. Hearings**

At each hearing the Committee shall have power to regulate its procedures as it thinks fit. The Committee may require the player ordered off to provide prior to the meeting at which the disciplinary proceedings against him are to be heard full particulars of the case to be presented on his behalf.

- a. the Chairman or a member of the Committee will explain the procedure to be followed
- b. the Referee's Report and where applicable the Touch Judges report will be read
- c. evidence fro the ordered off player if he elects to give evidence and from any witnesses to be called will be heard
- d. submission will be heard

In the event the Committee accepts video tape evidence where possible the video tape should be viewed prior to the Referee's report being read and without the sound or commentary associated with it being heard.

### **Questioning of Witnesses**

Where evidence is given before the Committee there shall be no direct questioning of any witness. Question may however be put to a witness through the Chairman of the Committee at the Chairman's discretion.

### **Evidence**

The Committee shall be entitled to receive such evidence as it thinks fit (including evidence in writing) notwithstanding the evidence may not be legally admissible.

Generally committees should apply the Best evidence Rule i.e. first hand accounts from persons present at the hearing as to their observations of the incident in question. That is not to say that hearsay evidence should never be accepted. However great caution should be exercised before hearsay evidence is accepted in preference to first hand evidence and generally less weight should be given to hearsay evidence.

Further as a general rule, committees should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence should be permitted only when the evidence falls outside the every day knowledge of members of the committee e.g. medical opinion

### **Attendance of Witnesses**

The Committee may require the attendance at the meeting of any witness. In any case where a witness required by the Committee to attend the meeting refuses or fails to so attend the Committee may refuse to allow the evidence of that witness to be given in any other form.

### **Representation**

All persons or parties entitled to be heard by the Committee may be represented by an official of their Association

### **Deliberations**

The Committee's deliberations on its decisions shall be in private

The Committee may impose on an ordered off player whatever penalty (if any) it deems appropriate within the Schedule of Maximum Penalties hereafter provided.

### **Notification of Decision**

The Decision of the Committee shall be advised to all parties as soon as practicable after the conclusion of the hearing. Where it considers it appropriate the Committee may deliver a short oral Decision at the conclusion of the hearing with its reason to be put in writing and communicated to the parties at a later date.

All parties heard by the Committee shall be entitled to a copy of the written Decision of the Committee which shall be sent to them by the **Region President or Regional Development Manager** of the Association within 48 hours after it is available.

In any case where a player is adversely affected by a Decision of the Committee he shall be advised by the Committee of his right of appeal to the Association's Appeal Committee. Such advice shall be included in the Committee's written Decision.

As soon as practicable after the decision of the Committee is available the Regional Development Manager of the Association shall notify the Players Club of the Decision and the right of appeal available to the player. The **Region President or Regional Development Manager** of the Association shall also notify the Referee's group of the Committee's Decision.

### **Record of Proceedings**

The hearing of proceedings by the Committee shall be recorded. The record of the proceedings and all papers associated with the proceedings shall be held by the **Region President or Regional Development Manager** of the Association.

## **7. Player Appeals:**

Players wishing to appeal against the mandatory sentence (e.g. for mistaken identity) must do so in writing through their club to the **Region President or Regional Development Manager** by

4.30pm on the Monday following the game. A scheduled judiciary meeting when the player and his support personnel will be required to appear and present their evidence.

## **SCHEDULE OF RECOMMENDED PENALTIES**

The following are the **recommended** penalties for on the field misconduct.

<b><u>Offence</u></b>	<b><u>Law Ref</u></b>	<b><u>Max Penalty</u></b>	<b><u>Recommended Penalty</u></b>
<b>Striking (punching an Opponent)</b>	10.4 (a)	2 years	5 - 8 weeks
Dangerous (provoked or unprovoked)			Temporary suspension
Other			4 weeks
<b>Stamping or Trampling an Opponent</b>	10.4 (b)	5 years	7 - 9 weeks
Dangerous			Temporary suspension
Other			6 weeks
<b>Kicking an Opponent</b>	10.4 (c)	5 years	7 - 9 weeks
Dangerous			3 - 6 weeks
Other			
<b>Tripping an Opponent</b>		2 years	4 - 6 weeks
Dangerous			Temporary suspension
Other			3 weeks
<b>Illegal Tackling of an Opponent</b>	10.4 (e)	2 years	4 - 6 weeks
Dangerous			Temporary suspension
Other			3 weeks
<b>Kneeing an Opponent</b>	10.4 (a)	2 years	4 - 6 weeks
Dangerous			Temporary suspension
Other			3 weeks
<b>Head Butting</b>	10.4 (a)	Life	7 - 9 weeks
<b>Eye Gouging</b>	10.4 (k)	Life	24 - 30 months
<b>Biting</b>	10.4 (k)	Life	18 - 24 months

**Other Forms of Man Handling incl Fighting**

Dangerous		2 years	4 - 6 weeks
Other			Temporary suspension 3 weeks

**Offences Involving Referees and Touch Judges 10.4 (k)**

Threats - actions or words		Life	6 - 12 months
Verbal Abuse		10 weeks	Temporary suspension 6 weeks

<b>Repeated Infringements</b>	10.3	8 weeks	Temporary suspension 2 weeks
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**NOTE: THESE ARE NOT MINIMUM PENALTIES. THEY ARE RECOMMENDATIONS ONLY. ANY AGGRAVATING OR MITIGATING FEATURES MUST BE TAKEN INTO ACCOUNT.**

**(B) SCHEDULE OF MAXIMUM PENALTIES**

<u><b>OFFENCES AGAINST</b></u>	On the Field up to a Maximum of	Off the Field Up to a Maximum of
<b>1. Referees / Touch Judges</b>		
Threatening by conduct and/or words	Life	Life
Fist/punches, man-handling	Life	Life
Kicking, hacking, tripping	Life	Life
Weapons (i.e., any article used to inflict injury)	Life	Life
<b>2. Team, Union or Other Officials</b>		
Threatening by conduct and/or words	Life	Life
Fist/punches, man-handling	Life	Life
Kicking, hacking, tripping, trampling	Life	Life
Weapons (i.e. any article used to inflict injury)	Life	Life
<b>3. Opposing Players</b>		
Threatening by conduct and/or words	1 year	1 year
Fist/punches, man-handling	2 years	2 years
Kicking, hacking, tripping, trampling	5 years	5 years
Weapons (i.e. any article used to inflict injury)	Life	Life

**DANGEROUS PLAY**

(As per Law 10.4)	
Can apply only to opponents during a match	2 years

**REPEATED INFRINGEMENTS**

(As per Law 10.3)	8 weeks
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<b><u>GENERAL MISCONDUCT AGAINST</u></b>	On the Field up to a Maximum of	Off the Field Up to a Maximum of
Referees/Touch Judges	10 weeks	Life
Officials	10 weeks	10 weeks
Players	10 weeks	10 weeks

**NOTE: In imposing penalty in any case it is important that consideration be given to the following:**

- (1) while it is important that each case be determined on its own merits there is a need for consistency and uniformity in the level of penalties imposed throughout India
- (2) penalty should always be determined by reference to the culpability of the conduct concerned. The severity of an injury to a victim player will in some cases be a consideration relevant to the question of penalty but it should never be the sole determinant.
- (3) notwithstanding the above recommendations in cases where the players actions constitute mid range or top end of 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 committee may impose any period of suspension including a suspension or fine.