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## **Middlesex Discipline Policy**

### **1. Objective of this policy**

To outline the approach to discipline within the Game and provide an overview of how incidents are handled by RFU, Middlesex Consistent Body ('Middlesex CB') ('County') and clubs.

### **2. Scope**

Covers all disciplinary matters.

### **3. Audience**

All members of the Middlesex Rugby Community.

### **4. Discipline**

The principles and procedures for Rugby discipline are set out in the [RFU Regulations 19](#) and [accompanying appendices](#).

The overriding objective of the RFU's 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
- Ensure the image and reputation of the Game is not adversely affected
- Achieve consistency in the way in which discipline is administered and uniformity in the manner in which the assessment of seriousness of foul play is conducted and sanctions imposed.

#### **4.1. RFU Discipline**

Under RFU Rule 5.12, the RFU

*"shall have the power to discipline any:*

- *Member*
- *Rugby Body*
- *Non-voting member of the Union*
- *Any Player, official, member or employee of a Member or a Rugby Body*
- *Any other person or body that submits to Union's jurisdiction to discipline them*

*for any infringement of these Rules, the RFU Regulations, the Laws of the Game or the World Rugby Regulations and/or for any conduct which is prejudicial to the interests of the Union or the Game or which amounts to cheating.*

*The Union may terminate or suspend membership of the Union or impose any other appropriate punishment for any such offence”.*

This rule, often referred to as misconduct rule allows the Consistent Body Discipline Secretary ('CB Discipline Secretary') or the RFU Head of Discipline to bring charges against any individual or Club if their actions are deemed not to have been in the interests of the Game.

For any case that is brought under this rule, it is for the CB Discipline Secretary, or the RFU to present the case to the Disciplinary Panel, and to explain why the conduct is prejudicial. If the case is proved then the Disciplinary Panel have the ability to issue any sanction that they feel is appropriate, whilst being fair and proportionate.

#### **4.1.1. Scope**

Under RFU Regulations, discipline for clubs below level 4 is delegated to the local Consistent Body ('CB') who are responsible for administering the process and ensuring that all matters of foul play or misconduct are dealt with expeditiously and fairly.

The RFU work with all CB's to ensure that any members of the discipline function are suitably trained and kept up to date with all RFU and World Rugby guidance. This ensures that discipline is administered uniformly and consistently across the Game.

All hearings will be run in accordance with Regulation 19 and a written judgment, outlining the reasoning of any decision, will be sent to the player as soon as possible after the hearing.

#### **4.1.2. Disciplinary Incidents**

Under RFU Regulation 19.1.14 there are certain offences that must be referred directly to the RFU, either by the Club / Person involved or by the CB Discipline Secretary. These include:

- Any Anti-Doping, Corruption or Betting matter
- Any breaches of RFU Safeguarding Policy
- Any cases involving serious injury
- All cases under investigation by the Police
- All cases involving racially aggravated verbal or physical abuse.

The RFU Head of Discipline will then determine how these matters are to be dealt with.

#### **4.2. Middlesex Discipline**

Middlesex CB shall act in relation to Clubs and individuals within its jurisdiction, in relation to:

- Any infringement of any Law(s) of the Game
- Any conduct which amounts to cheating, misconduct or similar
- Any infringement of the RFU regulations relating to the Game.

With the exception of the following:

- Players who are registered with or who are under a contract with Clubs playing in the Premiership, Championship National Leagues 1 and 2N and 2S or Women's Premier 15s (1st and 2nd XV's)

- Players who, although not registered or under contract, represent a Premiership Club in the Premiership 'A' League, the BUCS Super Rugby Competition or in the Women's EPS or Sevens squads
- Players dismissed from the field of play or cited during County Championship matches
- Breaches of World Rugby Regulations 6, 10 and 21 (Anticorruption and Betting, Medical and Anti-Doping) and breaches of RFU Regulations 17 and 20 (Anti-Corruption and Betting and Anti-Doping)
- Breaches of RFU Regulation 21 (Safeguarding)
- All cases involving serious injury
- All cases under investigation by the Police
- All cases involving racially aggravated verbal or physical abuse
- Complaints regarding a Referee Society admitted to membership of the Rugby Football Referees Union or an individual member of such a Society.

### **4.3. Club Discipline**

RFU Regulations stipulate that all Clubs must appoint an internal Disciplinary Panel responsible for investigating and take 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.

#### **4.3.1. Disciplinary Incidents**

If a player receives a Red Card, or is subject to a Citing, it is expected that a club Disciplinary Panel will convene a disciplinary hearing for the matter and produce a written judgment that will be made available to the Middlesex CB or RFU Disciplinary Panel.

Any Club disciplinary process should follow the principles laid out in RFU Regulation 19 and any further guidance or support can be provided by the Middlesex CB Discipline Secretary or from the RFU.

Nothing in RFU Regulation 19 prevents the RFU from bringing disciplinary proceedings against Clubs for the actions of its players, officials, members, employees and/or its spectators.

Club Secretaries, Club Officers, Captains and Coaches should familiarise themselves with the [Disciplinary Regulation 19](#), updated in August 2019.

#### **4.3.2. Citing Incidents of foul play**

If a club feels that an incident of foul play (which occurred during a match) should have been given a Red Card, then they are able to formally Cite the player responsible by informing the Middlesex CB Discipline Secretary. For process, please refer to section below.

The full citing regulations can be found at RFU Regulation 19, Appendix 4 ([Citing Regulations](#)).

### **4.4. Age-Grade Discipline**

Any disciplinary matters that relate to individuals that are under 18 years of age are dealt with under a different process to the adult game and this is detailed in RFU Regulation 19, Appendix 6 ([Age-Grade Discipline Regulations](#)).

The overriding principle of any Age-Grade Rugby discipline process is that it will be child centric and matters are dealt with by individuals who know the player best. The sanctions available to the disciplinary panel are different to the adult game and relate to matches within both the club and school/academy environment. All discipline matters relating to age-grade players should be reported to the CB Age-Grade Discipline Secretary within 48 hours.

For any player under the age of 13 there is no assigned sanction table, and any disciplinary action should be dealt with by the players' coach.

## **5. Obligation to Cooperate**

All individuals or entities under the jurisdiction of the RFU are required to cooperate with any investigation or disciplinary proceedings. As detailed in RFU Regulation 19.1.4, any failure to cooperate could result in charges being issued under Rule 5.12.

## **6. Right of Appeal**

There is a 'Right of Appeal' to all CB decisions. The 'Right of Appeal' must be made in writing and submitted to the RFU Head of Discipline within 14 days of the written judgement being received from the CB Disciplinary Panel. The full appeal process is contained with RFU Regulation 19.12.

## **7. Publication of Judgments**

The written judgement of any case heard by an RFU Disciplinary Panel will be published in full on the RFU Website. Whilst this is not a requirement of a CB, some CB's do publish the outcome of their disciplinary hearings. Publication by Middlesex CB will be determined on a case-by-case basis.

## **8. Operational Process Approach**

The following outlines the process that Middlesex CB will follow to manage all disciplinary incidents.

### **8.1. Middlesex CB Operational Process**

#### **8.1.1. Red Cards**

A player is banned immediately upon being sent off and cannot play again until the matter is dealt with by a Middlesex CB or RFU Disciplinary Panel. When a player or any other person from a club is red carded, the club must inform the Middlesex CB Discipline Secretary ([discipline@middlesexrugby.com](mailto:discipline@middlesexrugby.com)) by email within 48 hours confirming:

- The date of the fixture
- The location of the fixture
- The teams in the match
- The player's name, date of birth and RFU registration number
- The referee's name
- Will the player plead guilty or not guilty to the offence

If the player concerned is not registered, then they must be registered as soon as possible after the Red Card so that they can be logged onto GMS.

In nearly all cases, the player will be required to attend a Discipline Hearing.

### **8.1.2. Citing**

All Citing's must be made in writing within 14 days of the match and should include all the necessary information and any supporting witness statements. However, it is advisable to contact Middlesex's CB Discipline Secretary as soon as possible if a citing is anticipated.

The full citing regulations can be found at RFU Regulation 19, Appendix 4 ([Citing Regulations](#)).

Any club that brings a Citing is responsible for presenting the case to the Middlesex CB Disciplinary Panel and explaining why the act of foul play should have been given a Red Card. There is a fee that will need to be paid to Middlesex CB for any Citing case, however, this will be returned if the case is successful.

### **8.1.3. Age-Grade Rugby**

As referenced above, the procedures for Age-Grade Rugby follow the Regulation 19, Appendix 6 ([Age-Grade Discipline Regulations](#)).

Note however that incidents arising from Age-Grade Rugby involving adults will be dealt with by the Middlesex CB Disciplinary Panel. It is expected that where an incident arises from adult's behavior in Age-Grade Rugby, the member club will appoint one of its Officers (typically Secretary, Chairman, President) to lead the investigations and hearings. It will not be acceptable for a club to appoint a member of its mini or youth rugby team to do this (unless that person is already a Club Officer). In such cases, matters may also be dealt with through different procedures such as Regulations 5.12 or 19.6.13.

## **8.2. Disciplinary Hearing**

The relevant parties will be advised of the location and time of the disciplinary hearing, and the associated fee.

### **8.3. Preparation for the Disciplinary Hearing**

It is important to ensure the player has seen the Referee's Report prior to the disciplinary hearing. If it is to be challenged, attendance of the Referee at the Middlesex CB Disciplinary Hearing must be requested as early as possible through the Middlesex CB Discipline Secretary. The club will be liable for the Referee's expenses.

For attendance, the requirements are that the person subject to the disciplinary hearing is accompanied by no more than two representatives unless otherwise agreed with the Middlesex CB Discipline Secretary. One of the representatives must be an Officer of the club, typically a President, Chairman or Secretary.

### **8.4. Disciplinary points**

The County operates a totting up system of points for discipline sanctions, as this enables them to monitor patterns of discipline and identify clubs where there is a trend towards increasing discipline issues. It also helps them to work with those clubs to assist and advise on discipline issues. Points are accumulated as follows:

Period of player suspension		Points by Category	
		A*	B*
1 – 4 weeks		4	2
5 – 7 weeks		8	6
8 – 10 weeks		10	8
11 – 20 weeks		12	10
More than 20 weeks (including sine die)		15	12
*A Members of the 1st XV of any club in a County or National, League or Cup game and members of the 2nd XV			
*B All other matches			
Points	30	The club will be advised in writing that its disciplinary record is giving concern.	
	40	The Club will be warned that its record is unacceptable. A range of actions will be suggested to the club.	
	50	The club will be summoned before a special disciplinary hearing convened by the President of Middlesex Rugby according to the guidelines laid down by the RFU with potential penalties as specified.	

Points will generally accumulate over a period of two seasons, but the Middlesex CB Discipline Secretary may have regard to a longer or shorter pattern of incidents. Note that RFU Regulation 19.3.1 will apply regardless of the points accumulations outlined above.

### 8.5. Regulation 5.12

The CB the power to discipline any player, official, member, or employee of a Member Club or a Rugby body (or any other person or body that submits to Rugby Football Union’s jurisdiction to discipline them) for any matter that the CB considers brings the Game into disrepute.

### 8.6. Deterrent sanctions

Where a particular pattern of behavior is identified which increases the need for a deterrent, for example, match official abuse, the CB Discipline Secretary reserves the right to impose additional sanctions in addition to those set out in the RFU Regulations sanctions table.

## 9. Queries

Member clubs are welcome to discuss discipline issues including informal advice and support at any time by contacting [discipline@middlesexrugby.com](mailto:discipline@middlesexrugby.com).

## 10. Contact Details

If you would like to report an incident or discuss any part of the process, please contact:

RFU Discipline Department	<a href="mailto:DisciplineRFU@Rfu.com">DisciplineRFU@Rfu.com</a>
RFU Age-Grade Discipline Department	<a href="mailto:Agegradediscipline@RFU.com">Agegradediscipline@RFU.com</a>
CB Discipline Secretary	John Orr <a href="mailto:Discipline@middlesexrugby.com">Discipline@middlesexrugby.com</a>

CB Age-Grade Discipline Secretary	Caron Evan-Evans <a href="mailto:cree@mtsn.org.uk">cree@mtsn.org.uk</a>
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### 11. Owner of this Policy

This policy is owned by the Middlesex CB Discipline Secretary and approved by the Middlesex Management Board. This policy will be reviewed and updated annually.

### 12. Document Approval History

Date	Version	Document Approver	Comment
30 December '20	Version 1	Middlesex Management Board	Approved by circular resolution To be reviewed annually in December 2021