



**WRU AGE GRADE  
DISCIPLINARY  
REGULATIONS**

## **Introduction**

The WRU emphasises that Clubs and Schools are responsible for the behaviour of their players, coaches, officials and supporters during and after matches. Adherence to the principles of good discipline will enhance Rugby in Wales.

Please ensure that your Club or School acts to support the WRU in its campaign to improve disciplinary standards at Mini, Junior and Youth levels of the Game in Wales.

In accordance with World Rugby guidelines, the overriding objective of these procedures is that they are child friendly and 'child-centric' and are based on both the WRU Values and the following key principles:

- a) those who know an Age Grade Player best should be the ones who discipline, mentor, guide and educate the Age Grade Player as part of his/her development;
- b) the disciplinary procedure involving Age Grade Players should be simple, easy to understand and conducted more informally than the adult procedure;
- c) the welfare of Age Grade Players should be paramount and the disciplinary procedure should be conducted with that in mind; and
- d) playing suspensions should not normally be so severe as to discourage Age-Grade Players from continuing to play rugby and should be tiered in severity to their age, responsibility and culpability. They should normally be less than adults receive and should ordinarily be given in weeks. The WRU Age Grade Disciplinary Panel may use its discretion when determining and imposing a meaningful period of suspension. As such, the WRU Disciplinary Panel may determine that the period of sanction will be applied in Match(es).
- e) there will be no financial penalties or costs imposed on an Age Grade Person.

Disciplinary hearings shall be conducted in accordance with these Regulations, save that they may be adapted as appropriate to meet the needs of the Age Grade Player in order to meet the key principles set out above.

The WRU Safeguarding policies and guidance should be adhered to at all times.

Jurisdiction	5
The WRU Age Grade Disciplinary Panel	7
The Appeal Panel	7
The Standard and Burden of Proof	7
Rules of Evidence	8
Attendance at Hearings and Representation	9
Confidentiality	10
Audio Recordings	11
Service of Documents	11
Disciplinary Offences and Referrals to WRU Disciplinary Panel	11
Interim Suspensions	14
Case Management	15
Disciplinary Notice	15
Responding to a Notice	15
Directions	17
The Hearing	17
Findings and Sanction Process	18
Suspensions and other Sanctions	22
The Decision and Notification of Decision	22
Costs	23
Appeals	23
Unforeseen Circumstances	27
Financial Penalties and Sanctions	28
WRU Codes of Conduct	<b>Appendix 1</b>
World Rugby Table of Sanctions	<b>Appendix 2</b>
Age Grade Citing Procedures	<b>Appendix 3</b>
Guidance in relation to U12 disciplinary matters	<b>Appendix 4</b>

## Definitions

In the Age Grade Rugby Disciplinary Regulations the following words shall have the following meanings:

<b>“Age Grade”</b>	means U18 rugby and age groups below U18 level in Wales;
<b>“Age Grade Disciplinary Panel Pool”</b>	means the group of individuals, comprising members of the disciplinary sub-committee of the WRU Community Game Sub Board and other individuals appointed by the WRU with experience in dealing with young people and with Age Grade rugby, from which Age Grade Disciplinary Panels will be drawn to hear disciplinary matters pursuant to these Age Grade Rugby Disciplinary Regulations;
<b>“Age Grade Player”</b>	means a player of the Game at Age Grade level;
<b>“Age Grade Person”</b>	means (i) an Age Grade Player, and (ii) any other Person involved in Age Grade rugby who is aged 17 or below;
<b>“Appeal Panel”</b>	means a panel appointed to hear an Appeal in accordance with Regulation 10;
<b>“Club”</b>	means a Welsh rugby union football club or organisation, including (unless expressly stated otherwise) Regional Organisations and District teams at U18 level and below, School teams and any other Member;
<b>“Codes of Conduct”</b>	means the codes set by the WRU and which appear in Appendix 2 hereto;
<b>“Disciplinary Notice”</b>	means a notice to bring disciplinary proceedings in accordance with these Disciplinary Regulations;
<b>“Disciplinary Officer”</b>	means the person appointed by the WRU to act on its behalf in matters of Age Grade Discipline;
<b>“Disciplinary Report”</b>	means a report received from a referee on a player sent off, a player who was sin binned or a breach of the codes of conduct;
<b>“Foul Play”</b>	means a breach or breaches of Law 9 of the Laws of the Game;
<b>“Game”</b>	means rugby union football;
<b>“Laws of the Game”</b>	means the Laws of the Game as issued from time to time by World Rugby;
<b>“Misconduct”</b>	means any act of Foul Play by a Player and/or any conduct, behaviour, statements or practices by a Member, a School, and/or a Person, on or off the playing enclosure, during a match or otherwise,

	that is in breach of the Codes of Conduct and/or is unsporting and/or is insulting and/or for any conduct which is prejudicial to the interests of the WRU and/or the Game and/or any sponsor or other partner of the WRU.
<b>“Person”</b>	means (i) a player, trainer, referee, assistant referee, referee adviser, touch judge, coach, selector, medical officer, physiotherapist, (ii) any other individual who is or has been at any time involved in the Game, or in the organisation, administration or promotion of the Game, or (iii) any supporter or spectator of the Game;
<b>“Person Charged”</b>	means an Age Grade Person (or Club or School where the context so provides) against whom disciplinary proceedings have been brought;
<b>“Playing Season”</b>	means the date on which the first fixture in the relevant competition is played each year until the date on which the last fixture in the relevant competition is played each year;
<b>“Regional Organisations”</b>	means the Welsh rugby union football organisations designated as such from time to time by the Board of Directors;
<b>“School”</b>	means a school in Wales affiliated to the Welsh Schools Rugby Union;
<b>“World Rugby”</b>	means the association of national rugby football unions in membership therewith in accordance with its bye-laws, that is the world governing body for the Game;
<b>“WRU Age Grade Disciplinary Panel”</b>	means a panel comprising members from the Age Grade Disciplinary Panel Pool appointed to hear disciplinary cases in accordance with Regulation 2 of these Age Grade Rugby Disciplinary Regulations; and
<b>“WRU”</b>	means The Welsh Rugby Union Limited.

## 1 JURISDICTION, ORGANISATION AND STRUCTURE

- 1.1 The disciplinary rules and procedures of the WRU as relate to Age Grade Persons shall be as set out in these Age Grade Rugby Disciplinary Regulations.
- 1.2 Each Club and School is responsible for ensuring that each of its Age Grade Persons, team managers, coaches and Club officials and spectators are aware of and comply with these Age Grade Rugby Disciplinary Regulations.
- 1.3 The overriding objective of the WRU Age Grade Disciplinary Regulations 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 playing enclosure) are dealt with expeditiously and fairly by independent means within the Game. The role of the Age Grade Disciplinary Panel is to achieve uniformity and consistency in the way in which disciplinary matters relating to foul play and misconduct are adjudicated and that the process is ultimately, fair, efficient, and effective.

- 1.4 In respect of a charge brought against a Club or School owing to the Misconduct of its Persons other than Age Grade Persons, the WRU shall have the right to bring the charge pursuant to the WRU Disciplinary Regulations. In doing so, each reference to a 'Club' in the WRU Disciplinary Regulations shall be construed as applying to a School.

#### **APPENDICIES**

- 1.5 These Age Grade Rugby Disciplinary Regulations also include:
- (a) the Codes of Conduct (set out in **Appendix 1**);
  - (b) the Table of Recommended Sanctions for Offences within the Playing Enclosure, adjusted for Age Grade rugby (set out in **Appendix 2**);
  - (c) Age Grade Citing Procedures (set out in **Appendix 3**);
  - (d) the guidance in relation to U12 disciplinary matters (set out in **Appendix 4**);
- 1.6 For the avoidance of doubt, these Age Grade Rugby Disciplinary Regulations shall not apply to:
- (a) anti-doping offences which are dealt with in accordance with the WRU Anti-Doping Regulations;
  - (b) safeguarding matters which are dealt with in accordance with the WRU Safeguarding Policy;
  - (c) disciplinary matters relating to Persons other than Age Grade Persons, which shall be dealt with in accordance with the WRU Disciplinary Regulations; or
  - (d) subject to Regulation 1.7 below, disciplinary matters relating to Age Grade Persons aged 12 years or under, which shall be dealt by that Age Grade Person's Club or School. In respect of such matters, **Appendix 4** sets out the recommended steps that should be taken by Clubs / Schools.
- 1.7 In respect of Disciplinary matters pertaining to Age Grade Persons aged 12 years or under:
- (a) where a Club / School wishes to seek the guidance of the WRU on disciplinary matters, they may contact the WRU Disciplinary Officer; and

- (b) the WRU shall have the power to deal with such matters pursuant to these Age Grade Rugby Disciplinary Regulations, where it is necessary in the interests of the Game and/or the Union to do so.

1.8 All references to age in these Regulations shall be with reference to age of the relevant Person as at the date of the alleged offence.

## 2 **WRU AGE GRADE DISCIPLINARY PANEL**

2.1 Disciplinary offences, including breaches of the Codes of Conduct, shall be dealt with by a WRU Age Grade Disciplinary Panel. The WRU Age Grade Disciplinary Panel shall comprise of at least three members, none of whom shall be from a District which has a connection with the Age Grade Persons(s), match officials, Clubs or Schools participating in the match in which the alleged offence occurred. One of the three members shall be designated as Chairman.

2.2 The WRU may, where it considers it necessary in its sole discretion, appoint a legally qualified person (s) to sit on an Age Grade Disciplinary Panel instead of or in addition to one of the members appointed from the Age Grade Disciplinary Panel Pool.

## 3 **APPEAL PANEL**

3.1 Subject to Regulation 3.3 below, appeals shall be dealt with by an Appeal Panel appointed by the WRU which shall comprise three members from the Age Grade Disciplinary Panel Pool. One of the three members shall be designated as Chairman.

3.2 For the avoidance of doubt, and Appeal Panel shall not comprise any members:

- a) who sat on the WRU Age Grade Disciplinary Panel whose decision is being appealed;
- b) who are from a District which has a connection with the Age Grade Person(s), match officials, Clubs or Schools participating in the match in which the alleged offence occurred.

3.3 The WRU may, where it considers it necessary in its sole discretion, appoint a legally qualified person to sit on an Appeal Panel instead of or in addition to one or more of the members appointed from the Age Grade Disciplinary Panel Pool.

## 4 **GENERAL PROVISIONS RELATING TO ALL DISCIPLINARY CASES AND APPEALS**

### **Standard of Proof**

4.1 The standard of proof in matters pertaining to these Age Grade Rugby Disciplinary Regulations (to include before Appeal Panels) shall be the balance of probabilities.

4.2 The integrity of the Laws of the Game and the Referee's position as sole judge of fact and law during a match is unassailable. The Referee's decisions on the field of play and their sporting consequences shall not be altered or overturned by a ruling of a WRU Age Grade Disciplinary Panel save in the following instances:

- (a) In the case of red cards, when a WRU Age Grade Disciplinary Panel determines that the Referee's decision was wrong because of (i) mistaken identity or (ii) where no act of Foul Play occurred or (iii) where the red card test has not been met.
- (b) In the case of citations, when a WRU Age Grade Disciplinary Panel determines that an act of Foul Play merited a yellow card or a red card irrespective of whether the act(s) have been detected by the Referee and been the subject of Referee action.
- (c) In the case of red cards resulting from two yellow cards, when a WRU Age Grade Disciplinary Panel determines that one or more of the foul play yellow cards was wrongly applied as a result of (i) mistaken identity or (ii) when no act of Foul Play took place.

### **Rules of Evidence**

- 4.3 The bodies subject to these provisions shall have power to regulate their own procedure.
- 4.4 It should be borne in mind that the bodies subject to these provisions are not courts of law and are disciplinary, rather than arbitral, bodies.  
  
Disciplinary Hearings shall be conducted in a fair and just manner and in accordance with the fundamental principles of natural justice.
- 4.5 Proceedings, findings or decisions of WRU Age Grade Disciplinary Panels or Appeal Panels shall not be invalidated by reason of any minor defect, irregularity, omission or technicality unless such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the relevant proceedings, findings or decisions.
- 4.6 WRU Age Grade Disciplinary Panels and Appeal Panels shall not be obliged to follow strict rules of evidence. A panel shall be entitled to receive such evidence and in such form as it sees fit (including evidence in writing), notwithstanding the evidence may not be admissible in civil or criminal proceedings, and it shall be entitled to attach such weight to evidence as it sees fit.
- 4.7 Witnesses shall attend the hearing in person to give oral evidence. If this is not reasonably practicable, then witnesses can seek permission from the Chair in order to give evidence via telephone conference or video link. Witnesses can also seek permission from the Chair for adjustments to be made to the manner in which they give evidence in circumstances where they may have difficulties attending the hearing and/or giving evidence generally.
- 4.8 WRU Age Grade Disciplinary Panels or Appeal Panels may draw such inference from the failure of a witness (including the Person Charged) to give evidence or answer a question as it considers appropriate.
- 4.9 Written evidence from witnesses may be received. If the written evidence is unchallenged then it shall carry the same weight as oral testimony but if that written evidence is challenged, it may carry less weight than oral testimony. Hearsay evidence may be admitted but should be treated with caution as its reliability cannot be tested by cross-examination.



- 4.10 Where the subject matter of disciplinary proceedings is sufficiently linked (for example, where an incident occurs at the same match or where there is common evidence) those disciplinary proceedings may be heard together. In the event that the case against one Person Charged would be dealt with pursuant to the WRU Disciplinary Regulations and the case against the other Person Charged would ordinarily be dealt with pursuant to the Age Grade Rugby Disciplinary Regulations, the WRU shall have the right to refer the disciplinary proceedings that would ordinarily have been dealt with under these Regulations to the panel constituted pursuant to the WRU Disciplinary Regulations for determination.
- 4.11 The WRU Age Grade Disciplinary Panel or Appeal Panel (as applicable) may hear evidence in any order and shall have complete discretion to take matters out of order for the timely, efficient and appropriate disposal of the proceedings.
- 4.12 Video evidence or photographic evidence may be used in relation to any disciplinary matter falling within these Regulations save that, where the footage and/or photo concerns Age Grade Players, any overwhelming safeguarding issues will be reviewed in accordance with the WRU Safeguarding Policy, before video and/or photographic evidence is used in relation to Disciplinary matters falling within these Regulations.
- 4.13 Subject to 4.12 above, a WRU Age Grade Disciplinary Panel or Appeal Panel shall be entitled to consider any footage or any visual material from any source, including (but not limited to) footage produced or obtained by the WRU, the Referee, Referee Advisor, Club Official, Player.
- 4.14 Where match footage, video evidence or visual evidence is in the possession or control of the Club of which the Age Grade Person appearing before the hearing is a member and, without reasonable excuse, the footage is not produced to the WRU Age Grade Disciplinary Panel or Appeal Panel, the panel shall be entitled to infer that it is unfavourable to the Age Grade Person.

#### **Attendance at Hearings and Representation**

- 4.15 The WRU may appoint a person to assist with the prosecution of any disciplinary case or appeal.
- 4.16 Subject to Regulations 4.16 and 4.17 below, the Person Charged and, where relevant, a Club or School representative must attend a hearing, unless the Chairman of the WRU Age Grade Disciplinary Panel directs that the hearing may proceed without such attendance. Where relevant, the match referee and/or referee adviser shall be invited to attend the hearing, although their attendance is not mandatory and no inference may be drawn if the match referee and/or referee adviser does not attend and the hearing may proceed without such attendance. For the avoidance of doubt, this Regulation does not limit the number of witnesses that a Person, Age Grade Person or Club whose conduct is the subject of a Misconduct complaint may call to give evidence.
- 4.17 It shall be the duty of any Person, Age Grade Person, Club or WRU involved in disciplinary proceedings to notify and secure the attendance of any witnesses he/she/it may wish to call.

- 4.18 Where the Person Charged is an Age Grade Person aged 14 years or older, he or she shall attend the hearing in company with a Club official or an appropriate person from the School. The parent or guardian of the Age Grade Person may also attend the hearing.
- 4.19 Where the Person Charged is an Age Grade Person aged 13 years old, he or she shall not attend the hearing. Rather a Club official or an appropriate person from the School should attend. The Age Grade Person's parent or guardian may also attend the hearing.
- 4.20 Where a Person Charged (or where, Regulation 4.18 applies, their representatives) fails to attend a hearing, the Age Grade Disciplinary Panel has the discretion to adjourn the hearing or to:
- (a) proceed to hear the case against the Person Charged; or
  - (b) save in respect of matters where Regulation 4.18 applies, suspend the Person Charged until such time as he/she appears.
- 4.21 Where an Age Grade Person is subject to a red card, citing and/or Misconduct complaint pursuant to Regulations 5 below and is or is likely to be subject to civil or criminal proceedings arising from the circumstances which are the subject of the Misconduct complaint, the Disciplinary Officer or a WRU Age Grade Disciplinary Panel (as applicable) will decide whether it is in the interests of the Game to proceed pending the outcome of those proceedings. If he/it adjourns the matter until the conclusion of the civil or criminal proceedings, the Disciplinary Officer may impose an interim suspension on the Age Grade Person against whom the allegations are made in accordance with Regulation 6.1 below.
- 4.22 Hearings may be conducted via video conferencing and the person charged may request to attend a hearing via this facility.
- 4.23 The WRU will support reasonable adjustments in our disciplinary procedure, with particular consideration given to communication, sensory or access requirements. If you wish to request an adjustment to the procedure to accommodate one of the above requirements, or a disability or long term health condition, please contact the WRU Disciplinary Manager.

### **Confidentiality**

- 4.24 The proceedings of Age Grade Disciplinary Panels and Appeal Panels shall take place in private.
- 4.25 Subject to Regulations 4.24 to 4.28 below, all oral or written representations, submissions, evidence and documents created in the course of any proceedings are confidential between the WRU and the individual or body concerned.
- 4.26 All oral or written representations, submissions, evidence and documents created in the course of any proceedings, representations, submissions and evidence and representations shall be subject to qualified privilege.
- 4.27 The WRU shall have the power to publish in the public press, on a website or in any other manner considered appropriate:

- (a) the decisions of Age Grade Disciplinary Panels and Appeal Panels made under these Age Grade Rugby Disciplinary Regulations, which may include details of offences committed under these Age Grade Rugby Disciplinary Regulations and of any sanctions imposed; and
- (b) any representations, submissions, evidence and documents created in the course of proceedings, or evidence, whether or not this reflects on the character or conduct of a Person Charged.

4.28 Until such time as a decision is published by the WRU, all parties and participants in the proceedings shall treat such proceedings as confidential.

4.29 The WRU shall have the right to use and rely upon any representations, submissions, evidence and documents that are provided to it during the course of any inquiry and/or is created or otherwise generated during the proceedings of a Age Grade Disciplinary Panel or Appeal Panel for the purpose of carrying out its regulatory functions and monitoring and implementing compliance with its Rules and Regulations.

#### **Audio Recordings**

4.30 The Chairman of a Age Grade Disciplinary Panel, Appeal Panel and the WRU Disciplinary Officer shall have the power to direct that a hearing shall be audio recorded.

#### **Service of Documents**

4.31 Communications from the WRU to a Club, School or Age Grade Person shall be deemed to have been validly made and delivered if addressed to the Secretary of a Club or to the Head Teacher of a School at the postal address/email address of the Club or School (as applicable). It is the responsibility of the Club or School to notify the WRU in writing of any temporary or permanent changes of address and to make adequate arrangements to deal with absences (for example, in the case of holiday or sickness).

### **5 DISCIPLINARY OFFENCES AND REFERRALS TO THE AGE GRADE DISCIPLINARY PANEL**

#### **Ordering Off (Red Cards)**

5.1 Disciplinary proceedings under these Disciplinary Regulations may arise when a Player is shown a red card during a match.

5.2 An Age Grade Player who is red carded (when an Age Grade Player is sent off the playing enclosure permanently by the referee) can take no further part in the match in which he was sent off but may play in subsequent matches (unless otherwise notified by the WRU) until such time as his case is determined by the Age Grade Disciplinary Panel.

5.3 In cases where a youth or junior team has six red cards during the season, or where the Players sent off reported by match officials when combined, total six during the season, the Club will be fined 5% of the sum of the core grant made available to it in the season by the WRU. For each Player over six that is sent off, or Club officials reported over six, an additional fine of 1%

of the sum of the core grant made available to it in the season by the WRU will be imposed on the Club.

### **Yellow Cards**

- 5.4 Age Grade Players who receive a yellow card (when an Age Grade Player is cautioned in a match by the referee and temporarily sent off the playing enclosure for a period of ten minutes of playing time) shall not, save in truly exceptional circumstances, lodge an appeal to an Age Grade Disciplinary Panel.
- 5.5 If an Age Grade Player is issued with two yellow cards in any one match and at least one of those yellow cards is issued for Foul Play, this will constitute a red card and the appropriate sanction will be determined by reference to the available sanctions for offences committed, as set out in **Appendix 2** and determined by an Age Grade Disciplinary Panel.
- 5.6 Where, in accordance with Regulation 5.5, an Age Grade Player has been sent off as a result of receiving two yellow cards and one or both of those yellow cards was awarded for Foul Play, the Age Grade Player may challenge one or both of the Foul Play yellow cards. However, the player may not challenge the award of a yellow card for a technical offence. If the Age Grade Disciplinary Panel permits a challenge against one or both of the Foul Play yellow cards and the challenge is upheld:
- (a) the WRU Age Grade Disciplinary Panel may consider if the sending off is a sufficient sanction to be imposed;
  - (b) the red card shall be expunged from the Age Grade Player's record.
- 5.7 The right of appeal in Regulations 5.4 and 5.6 above may only be exercised in truly exceptional cases, for example in a case of mistaken identity. It is not intended to encourage or lead to the systematic, regular review or contesting of yellow cards given to Age Grade Players in matches.
- 5.8 In the event that an appeal is lodged pursuant to Regulations 5.4 or 5.6, the Age Grade Disciplinary Panel shall first determine as a preliminary issue whether or not there are any truly exceptional circumstances and only if it so determines will it then proceed to deal with the appeal.
- 5.9 Where both of the yellow cards were issued for technical offences (where no act of Foul Play took place), the WRU Age Grade Disciplinary Panel will have the discretion to consider whether the sanction imposed should be one of sending off sufficient.
- 5.10 Age Grade Players who are yellow carded for foul play offences on three occasions during the season will be automatically suspended for a period of one week following notification from the WRU. If an Age Grade Player accumulates a further three yellow cards for foul play during the season he/she will automatically be suspended for a further period of two weeks. For the avoidance of doubt, any yellow card which is the subject of a successful appeal in accordance with Regulations 5.7 shall not fall to be considered for the purposes of this Regulation 5.

## **A Misconduct Complaint**

- 5.11 Disciplinary proceedings under these Disciplinary Regulations may arise when the Disciplinary Officer considers that any party or Age Grade Person stipulated in **Appendix 1** may have committed an act or acts of Misconduct.
- 5.12 Any act or acts of Misconduct shall constitute an offence under these Age Grade Rugby Disciplinary Regulations that may result in disciplinary proceedings being brought and (where appropriate) sanctions being imposed on the Age Grade Person, Club and/or School involved. For the avoidance of doubt, an Age Grade Person, Club and/or School may be sanctioned for Misconduct that relates to conduct during a match even if the match referee has already penalised one or more Age Grade Persons for that conduct.
- 5.13 Any matter that constitutes or is capable of constituting Misconduct shall be considered by the Disciplinary Officer on referral by the WRU, at his own instigation, as a result of any matter being brought to his attention in a referee's report or as a result of a party submitting a Code of Conduct Report in accordance with **Appendix 1**. However, while the WRU may direct the Disciplinary Officer to investigate a matter and/or bring a Misconduct complaint, any other party may not. In the latter case, the Disciplinary Officer shall have sole discretion to determine whether to investigate a matter and/or bring a Misconduct complaint under these Age Grade Rugby Disciplinary Regulations, and his/her decision shall be final and shall not be subject to appeal by any party.
- 5.14 In appropriate cases, the Disciplinary Officer may choose to offer an age grade person being investigated for a potential act of Misconduct "corrective measures" (such as an educative course) instead of bringing a Misconduct complaint against them. Such a course of action can only be taken with the agreement of the WRU and the age grade person (or Club official and/or guardian) subject to the investigation. Should such a person agree to such a course of action, that person is expected to complete the corrective measures being offered to them. If such a person fails to complete the corrective measures, the Disciplinary Officer shall be able to bring a Misconduct complaint for the original act. That a person has been the subject of such corrective measures will be recorded by the WRU and may be drawn to the attention of an Age Grade Disciplinary Panel and then be taken into account by a panel when imposing a sanction for any (proven) act of Misconduct.
- 5.15 In carrying out his/her functions under Regulation 5.11, Regulation 5.12 and Regulation 5.13 above, the Disciplinary Officer shall be entitled to undertake such investigations as he/she deems appropriate, and every Club, School and Age Grade Person shall be obliged to cooperate with such investigations. A failure or refusal to cooperate with such investigations may itself constitute Misconduct under these Age Grade Rugby Disciplinary Regulations.

## **Citing Complaints**

- 5.16 Disciplinary proceedings under these Age Grade Rugby Disciplinary Regulations may arise when an Age Grade Player is the subject of a citing complaint pursuant to **Appendix 3** for an incident of Foul Play committed during a Match.
- 5.17 A Citing may be initiated where there is an allegation that an Age Grade Player committed an act of foul play , which would constitute a red card if detected by the Match Official but was not awarded a red card for that act.
- 5.18 When an Age Grade Player is the subject of a citing complaint, the Citing Procedures set out in **Appendix 3** to these Regulations shall be followed

### **Miscellaneous**

- 5.19 The WRU shall monitor the behaviour of all Clubs and Schools throughout the season and record offences committed by players from each Club or School and in accordance with Regulation 5.3. The WRU shall have the discretion to impose such penalties as deemed appropriate, including but not limited to, a team financial penalties, a playing suspension or request that the Club, age grade team or School to appear before the Age Grade Disciplinary Panel.

### **Notifying the WRU of Red and Yellow Cards**

- 5.20 Where an Age Grade Player is yellow carded or sent off by:
- (a) A referee appointed by the WRU, the referee shall as soon as possible following the conclusion of the match, submit his report on the incident to the Disciplinary Officer;
  - (b) A referee appointed by a Club or School, the Club or School shall, as soon as possible following the conclusion of the match provide the referee's report on the incident to the Disciplinary Officer.

## **6 INTERIM SUSPENSIONS**

- 6.1 Whilst disciplinary proceedings are to be preferred, the Disciplinary Officer shall have the power to issue an interim suspension order against an Age Grade Person against whom an allegation of Misconduct, an ordering off (red card) or citing complaint has been made and is being investigated in the event that the Disciplinary Officer determines that such a suspension is in the interests of the Game.
- 6.2 The Disciplinary Officer shall also have the power to issue an ISO against any Member (s) or Team (s) from participating in any rugby activity, in the event that the Disciplinary Officer determines that such a suspension is in the interests of the Game.
- 6.3 An interim suspension order can be issued without a hearing and, subject to Regulations 6.4 and 6.5 below, the interim suspension may be on such terms and for such period as the Disciplinary Officer directs. Notification of the interim suspension order shall be made to the Age Grade Person against whom an allegation of Misconduct has been made as soon as reasonably practicable.

- 6.4 Any Age Grade Person subject to an interim suspension order shall have the right of appeal before an Age Grade Disciplinary Panel. The procedure for the appeal shall be determined by the Chairman of the Age Grade Disciplinary Panel.
- 6.5 An interim suspension order shall automatically cease:
- (a) when the matter has been dealt with at a disciplinary hearing;
  - (b) when the Disciplinary Officer confirms that no further disciplinary action is to be taken; or;
  - (c) after 90 days from its issue, unless the Disciplinary Officer determines that it is in the interests of the WRU or the Game that it should be extended for a further period or periods of not more than 90 days.

## 7. **CASE MANAGEMENT**

### **The Disciplinary Notice**

- 7.1 Disciplinary proceedings shall be commenced against an Age Grade Person, Club or School by the serving on them of a Disciplinary Notice by or on behalf of the WRU. Where the proceedings relate to an Age Grade Person, the Disciplinary Notice shall be sent to their Club or School.
- 7.2 A Disciplinary Notice shall contain, or incorporate by reference to other documents, the material facts relied upon and particulars of the red card, yellow card, citing offence or Misconduct alleged by reference to those facts. Any defect in a Disciplinary Notice shall not preclude the Age Grade Disciplinary Panel proceeding to consider and determine the allegations of Misconduct.

### **Response to Notice: Red Card Offences**

- 7.3 A party that receives a Disciplinary Notice shall within seven days of receipt of the Disciplinary Notice confirm in writing:
- a) whether the player admits the offence specified in the Disciplinary Notice and wishes to plead guilty; or
  - b) whether the player disputes the allegations set out in the Disciplinary Notice; or
  - c) whether the Player requests a personal hearing.
- 7.4 Should an Age Grade Person, Club or School request a personal hearing for a red card offence, this request must also be made in writing to the Disciplinary Officer within seven days of receipt of the Disciplinary Notice. A cheque for £100 made payable to The Welsh Rugby Union Limited must accompany a request for a personal hearing. Where a request for a personal hearing is made, but where the Age Grade Person (or, where Regulation 4.18 applies, their representatives), Club or School (as applicable) do not attend the personal hearing, the fee will be retained and the Age Grade Disciplinary Panel shall have the power to impose an additional fine on the Club or School. The Age Grade Person (or, where Regulation 4.18 applies, their representatives), Club or School (as applicable) will

be provided with a date to appear before a WRU Disciplinary Panel and/or WRU Professional Disciplinary Panel. If the Age Grade Person and/or representatives (if applicable) are unable to attend an initial hearing date, the Age Grade Person will then be provided with a revised and final date. Failure to attend the revised date will result in the WRU Disciplinary Panel and/or WRU Professional Disciplinary Panel concluding the matter in the Age Grade Person's (or representatives') absence. In only exceptional circumstances may an extension be granted.

- 7.5 The player (in conjunction with the player's parent (s) or guardian (s)) will be requested to provide written reasons as to why he or she have requested a personal hearing.
- 7.6 Where an Age Grade Player requests a personal hearing in relation to a red card offence in accordance with Regulation 7.4 above, the match officials may be invited to attend the hearing.
- 7.7 If an Age Grade Person does not request a personal hearing in writing in accordance with Regulation 7.4 above, the Age Grade Disciplinary Panel will proceed to deal with the alleged offence specified in the Disciplinary Notice in the absence of the Age Grade Person.
- 7.8 **The player (in conjunction with the player's parent (s) or guardian (s)) will be requested to provide written reasons as to why he or she have requested a personal hearing.**
- 7.9 Where an Age Grade Player requests a personal hearing in relation to a red card offence in accordance with Regulation **Error! Reference source not found.** above, the match officials may be invited to attend the hearing.
- 7.10 If an Age Grade Person does not request a personal hearing in writing in accordance with Regulation **Error! Reference source not found.** above, the Age Grade Disciplinary Panel will proceed to deal with the alleged offence specified in the Disciplinary Notice in the absence of the Age Grade Person.

#### **Response to Notice: Misconduct Complaint**

- 7.11 A Player, Person or Club that receives a Disciplinary Notice must **within seven days** of receipt of the Disciplinary Notice confirm in writing:
- (a) whether they admit and accept the offence/allegations specified in the Disciplinary Notice and wishes to plead guilty; or
  - (b) whether they disputes the allegations set out in the Disciplinary Notice.



7.12 A Player, Person or Club who is subject to a misconduct allegation must complete and submit the standard misconduct complaint response form (available via the WRU website).

#### **Response to Notice: Citing Cases**

7.13 A Cited Player that receives a Disciplinary Notice must within seven days of receipt of the Disciplinary Notice confirm in writing:

- (a) whether the Cited Player admits the offence/allegations specified in the Disciplinary Notice and wishes to plead guilty; or
- (b) whether the Cited Player disputes the allegations set out in the Disciplinary Notice.

7.14 If the Cited Player accepts the citing then it can often be dealt with without the need for a Hearing (i.e. based on the citing reports, the player's own comments and any other relevant papers or video).

7.15 If the Cited Player disputes the citing complaint, the Player, a representative of his Club, representatives of the Club that made the citing or the person citing the Player will be requested to attend a hearing of the Age Grade Disciplinary Panel. If the representative of the Club that made the citing or the person citing the Player fails to attend the hearing, the citing will not be dismissed and the Age Grade Disciplinary Panel may proceed to a decision in the matter. Appendix 2 sets out the citing procedure for an Age Grade Person.

#### **Directions**

7.16 The procedure for the disciplinary proceedings shall be determined by the Chairman of the Age Grade Disciplinary Panel who may give any directions necessary for the proper conduct of proceedings.

#### **The Hearing**

7.17 The procedure for the hearing shall be determined by the Chairman of the Age Grade Disciplinary Panel or Appeal Panel.

7.18 The procedure for the hearing will be child friendly and 'child-centric'. The welfare of Age Grade Players is paramount and any arrangements around hearings should take into account such considerations as any educational commitments and family life.

## 8. FINDINGS AND SANCTION PROCESS

### Red Card Cases

- 8.1 In the case of a red card, the function of the WRU Age Grade Disciplinary Panel is to consider the circumstances of the case and determine its factual findings and what further sanction, if any, should be imposed on the Player.
- 8.2 The Player ordered off may seek to show that the Referee's decision was wrong (i.e. because of mistaken identity and/or where no act of Foul Play occurred) and the WRU Age Grade Disciplinary Panel may, review the Referee's decision and the circumstances surrounding it. In any such case, the WRU Age Grade Disciplinary Panel shall not make a finding contrary to the Referee's decision unless it is satisfied, on the balance of probabilities, that the Referee's decision was wrong. In such a case, the WRU Age Grade Disciplinary Panel shall direct that the red card be expunged from the Player's record.
- 8.3 Where the alleged offence is not admitted, the WRU Age Grade Disciplinary Panel shall consider their decision in private and shall determine whether the alleged offence has been proven. The WRU Age Grade Disciplinary Panel shall reach a decision on a majority vote with the Chairman having the casting vote in the event of equality.
- 8.4 Where the offence is admitted or proven, the WRU Age Grade Disciplinary Panel shall proceed to hear submissions regarding sanction.
- 8.5 Whilst each case will be dealt with on its merits, the WRU Age Grade Disciplinary Panel will apply the World Rugby list of recommended sanctions for offences within the playing enclosure, adjusted for Age Grade rugby (in accordance with World Rugby Regulation 17). The list of sanctions is set out in **Appendix 2, which shall be deemed to have been automatically amended to reflect any amendment or change approved by the World Rugby during the season.**
- 8.6 The WRU Age Grade Disciplinary Panel prior to or at any stage during proceedings, may amend the Law/offence for which the Club, Person or Player was (as appropriate) shown a red card, cited for an offence or made the subject of a Misconduct complaint. When considering the circumstances of the case, the Panel shall have regard to whether any amendment could be made without causing injustice.
- 8.7 In addition to those sanctions set out in Regulation 7 above, a WRU Age Grade Disciplinary Panel may impose education-based sanctions on an Age Grade Person, with such sanctions including (but not limited to):
- (a) completion of the WRU Disciplinary Online e-Learning Module and/or;
  - (b) any other educational courses considered appropriate by the Age Grade Disciplinary Panel.

### The Assessment

- 8.8 For offences within the playing enclosure, the WRU Age Grade Disciplinary Panel shall undertake an assessment of the seriousness of the Age Grade Player's conduct, which constitutes the offending and categorise the offence as being at the lower end (LE), mid range (MR) or top end (TE) of the scale of seriousness in order to identify the appropriate entry point for consideration of a particular incident(s) where such incident(s) is expressly covered in the World Rugby list of recommended sanctions for offences within the playing enclosure, adjusted for Age Grade rugby. Such assessment of the seriousness of the Age Grade Player's conduct shall be determined by reference to the following features of offending:
- (a) whether the offending was intentional;
  - (b) whether the offending was reckless, that is the player knew (or should have known) there was a risk of committing an act of Foul Play;
  - (c) the nature of the actions, the manner in which the offence was committed including part of body used (for example, fist, elbow, knee or boot);
  - (d) the existence of provocation;
  - (e) whether the Age Grade Player acted in retaliation and the timing of such;
  - (f) whether the Age Grade Player acted in self-defence (that is whether he used a reasonable degree of force in defending himself);
  - (g) the effect of the Age Grade Player's actions on the victim (for example, extent of injury, removal of victim player from the Game);
  - (h) the effect of the Age Grade Player's actions on the match;
  - (i) the vulnerability of the victim player including part of the victim's body involved/affected, position of the victim player, ability to defend himself;
  - (j) the level of participation in the offending and level of premeditation;
  - (k) whether the conduct of the offending Age Grade Player was completed or amounted to an attempt; and
  - (l) any other feature of the Age Grade Player's conduct in relation to or connected with the offending.
- 8.9 Based on the assessment of the offence(s) under consideration against the above features of offending, the WRU Age Grade Disciplinary Panel shall categorise the act of Foul Play as being at the lower end, mid-range or top end of the scale of seriousness of offending and identify the applicable entry point as set out in **Appendix 2**.

- 8.10 For offences categorised at the Top End of the scale of seriousness of offending, the WRU Age Grade Disciplinary Panel shall use its discretion to identify an entry point between the period shown as the top end for the particular offence as set out in **Appendix 2**. The plus sign against each top end period suspension denotes this entitlement and flexibility.
- 8.11 Having identified the applicable entry point for consideration of a particular incident, the WRU Age Grade Disciplinary Panel shall identify any relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension. Mitigating factors include the following:
- a) the presence and timing of an acknowledgement of the commission of foul play by the offending Player;
  - b) the Player's disciplinary record;
  - c) the youth and inexperience of the Player;
  - d) the Player's conduct prior to and at the hearing
  - e) the Player having demonstrated remorse for his/her conduct to the victim Player including the timing of such remorse; and
  - f) any other off-field mitigating factor(s) that the WRU Age Grade Disciplinary Panel considers relevant and appropriate.
- 8.12 The WRU Age Grade Disciplinary Panel may not apply a reduction for a sanction which is greater than 50% of the relevant sanction entry point. In assessing the percentage reduction applicable for mitigating factors, the WRU Age Grade Disciplinary Panel shall start at 0% reduction and apply the amount, if any, to be allowed by way of mitigation up to the maximum reduction (50%).
- 8.13 In cases involving offending that has been classified pursuant to Regulation 8.8 as lower end offending, where:
- (a) there are off-field mitigating factors; and
  - (b) where the WRU Age Grade Disciplinary Panel considers that the sanction would be wholly disproportionate to the level and type of offending involved;

the WRU Age Grade Disciplinary Panel may apply sanctions less than 50% of the lower end entry sanctions specified in **Appendix 2** including in appropriate cases no sanction.

- 8.14 Thereafter, having identified the applicable entry point for consideration of a particular incident, the WRU Age Grade Disciplinary Panel shall identify all relevant aggravating factors and determine what additional period of suspension, if any, above the applicable entry point for the offence should apply to the case in question. Aggravating features include:
- (a) the Player's status generally as an offender of the Laws of the Game;

- (b) the need for a deterrent to combat a pattern of offending in the Game where the teams participating in the Match or Tournament have been put on notice that such a need exists; and;
  - (c) any other off-field aggravating factor(s) that the WRU Age Grade Disciplinary Panel considers relevant and appropriate (including poor conduct prior to or at the hearing).
- 8.15 In cases of multiple offending, a WRU Age Grade Disciplinary Panel may impose sanctions to run either on a concurrent or a consecutive basis, provided that the total sanction is in all the circumstances proportionate to the level of the overall offending.
- 8.16 Notwithstanding the above, in cases where the Player's actions constitute mid range or top end of offending for any type of offence which had the potential to result and/or did result in serious/gross consequences to the health of the victim, the WRU Age Grade Disciplinary Panel may impose any period of suspension (including a suspension for life) as it deems appropriate.
- 8.17 In respect of offences not covered by the list of recommended sanctions set out in Appendix 3 (recommended sanctions for offences within the playing enclosure, adjusted for Age Grade rugby), appropriate sanctions may be imposed at the sole discretion of the Age Grade Disciplinary Panel which may include but not be limited to:
- (a) for an Age Grade Person a reprimand or warning, education based sanctions (to include, but not limited to, the WRU Disciplinary Online e-Learning Module), and/or suspension from playing or administration of the Game or both;
  - (b) for a Club or School, in addition to the sanctions set out in Regulation 6.17(a) above, suspension from activities relating to the Game, deduction of points, disqualification from any competition, or a recommendation to the WRU Board of Directors of expulsion from the District Junior Rugby Association, District Youth Rugby Union or Welsh Schools Rugby Union to which it is affiliated and that the team be disbanded.

### **Citing Cases**

- 8.18 In the case where there has been a citing complaint, the function of the WRU Age Grade Disciplinary Panel is to determine whether an act of Foul Play (a Foul that had met the red card threshold) was committed by the Player.
- 8.19 Where the alleged offence is not admitted, the WRU Age Grade Disciplinary Panel shall consider their decision in private and shall determine whether the alleged offence has been proven. The WRU Age Grade Disciplinary Panel shall reach a decision on a majority vote with the Chairman having the casting vote in the event of equality.
- 8.20 Where the offence is admitted or proven, the WRU Age Grade Disciplinary Panel shall proceed to hear submissions regarding sanction and shall apply the assessment and sanctioning regime as set out in Regulations 8.8, 8.9, 8.10, 8.11, 8.12, 8.13, 8.14, 8.15, 8.16 and 8.17 above.

## **Misconduct Cases**

8.21 The WRU Age Grade Disciplinary Panel shall determine its/his factual findings and whether it is satisfied on the balance of probabilities that an act or acts of Misconduct has been committed by the Player, Person or Member.

## **Suspensions and other Sanctions**

8.22 In accordance with World Rugby Regulation 17, suspensions will be calculated in numbers of weeks and will be imposed until a stated date.

8.23 For the purposes of imposing a meaningful suspension, the WRU Disciplinary Panel shall take into account weeks in which there is a Match(es). The WRU Age Grade Disciplinary Panel may use its discretion when determining and imposing a meaningful period of suspension. As such, the WRU Disciplinary Panel may determine that the period of sanction will be applied in Match(es).

8.24 Any period of suspension imposed:

- (a) will commence immediately following the written notification or, where the Age Grade Person attends a personal hearing, oral notification of the decision of the Age Grade Disciplinary Panel;
- (b) may be divided into two separate periods in order to exclude the whole or part of the closed season provided that the Age Grade Person is not permitted to play the Game (in any form) during such closed season; and
- (c) shall apply universally such that an Age Grade Person may not play the Game (in any form) anywhere during the period of suspension.

8.25 If an Age Grade Person's suspension has not finished by the end of the respective Playing Season, it shall continue until a stated date in the next Playing Season, unless he/she has been selected for a close season tour, or he/she intends to play during the close season in another Union. In this event the period of the tour in the Playing Season in the visited Union and the fact that he/she intends to play in another Union shall be taken into account in determining when the suspension shall come to an end.

8.26 Sanctions other than suspensions shall take effect in accordance with the written decision of the WRU Age Grade Disciplinary Panel.

## **Decision and Notification of the Decision**

8.27 A WRU Age Grade Disciplinary Panel shall ordinarily in their written decisions set out the reasoning for their findings, including the finding on culpability, how they have categorised the seriousness of the offence by reference to the features set out in Regulation 8.8, how they identified and applied any aggravating and mitigating factors and conclude with the resultant sanction, if any, imposed.

8.28 The WRU Age Grade Disciplinary Panel shall deliver its decision to the parties to the disciplinary proceedings (to include the Club or School, where applicable) orally at the end of the disciplinary hearing or in writing within five days after the conclusion of the disciplinary hearing.

8.29 Where a party to the disciplinary proceedings requires that written reasons be produced it must request such reasons within 48 hours following receipt of the decision, following which written reasons will be produced by the Age Grade Disciplinary Panel as soon as is reasonably practicable.

8.30 Where a Club or School plays an Age Grade Player during a period of suspension after that Club or School has been notified that the Age Grade Player has been suspended from playing, such conduct shall constitute Misconduct on the part of the Club or School.

## 9 COSTS

9.1 The costs of administering the WRU Age Grade Disciplinary Panel (including any fees of those sitting on the WRU Age Grade Disciplinary Panel) shall be borne by the WRU.

9.2 Any costs incurred in bringing or defending disciplinary proceedings shall be borne by the party incurring those costs.

## 10 APPEALS

10.1 An Age Grade Person, Club or School that has been found guilty of an offence may appeal against the decision of an Age Grade Disciplinary Panel on the grounds that the panel:

- (a) came to a decision to which no reasonable body could have come; or
- (b) made an error of law in reaching its decision; or
- (c) failed to act fairly in a procedural sense; or
- (d) the sanction imposed was so excessive as to be unreasonable.

10.2 In a citing case, the party that made the citing may appeal against the decision of a Age Grade Disciplinary Panel on the grounds that the panel:

- (a) came to a decision to which no reasonable body could have come; or
- (b) made an error of law in reaching its decision; or
- (c) failed to act fairly in a procedural sense; or
- (d) the sanction imposed was so unduly lenient as to be unreasonable

10.3 The WRU shall have a right to appeal against any decision of an Age Grade Disciplinary Panel on the grounds that the panel:

- (a) came to a decision to which no reasonable body could have come; or
- (b) made an error of law in reaching its decision; or
- (c) failed to act fairly in a procedural sense; or
- (d) the sanction imposed was so unduly lenient as to be unreasonable

10.4 Subject to Regulation 10.5 below, pending an appeal, an Age Grade Person who has been suspended shall not be eligible to play the Game (in any form) until the earlier of:

- (a) the appeal being determined by an Appeal Panel; and
- (b) the suspension imposed by the Age Grade Disciplinary Panel expiring.

10.5 The Appeal Panel shall have the discretion to permit Age Grade Players to play the Game pending an appeal. In the event that the Appeal Board has not been constituted, the discretion shall be exercised by the Disciplinary Officer. Such decision shall be considered by the Appeal Board once constituted. There shall be no further right of challenge from the decision of the Disciplinary Officer and/or Appeal Board.

10.6 Ordinarily, the parties to an appeal shall be entitled to make oral submissions to the Appeal Panel but an appeal shall be by way of a review of documents only without witness evidence.

10.7 A de novo hearing against the decision of an Age Grade Disciplinary Panel may be permitted if the Appeal Panel considers it to be in the interests of justice. This will only be permitted in exceptional circumstances, such as when new evidence which was not reasonably available at the original hearing is to be adduced.

#### **Notice of Appeal**

10.8 Any appeal brought under Regulations 10.1 to 10.3 above must be served on the Disciplinary Officer within seven (7) days of notification of the decision of the Age Grade Disciplinary Panel.

10.9 The notice of appeal shall be sent to the Disciplinary Officer in writing and must be signed by the Age Grade Person, Club or School serving the appeal (the "Appellant").

- (a) the name of the Age Grade Person or Club or School lodging the appeal;
- (b) the decision appealed against;
- (c) the date of the decision appealed against; and
- (d) the specific grounds of the appeal.

10.10 In the cases of Age Grade Players, the appeal must be lodged on the headed paper of the Club or School which they represent.



10.11 For the purposes of Regulation 10.8 above, the notification of the disciplinary decision will be deemed to have been delivered:

- (a) when it is communicated at the end of the disciplinary hearing;
- (b) where written notification is sent by first class post, the second day after it has been sent by first class post to the Age Grade Person and/or Club or School;
- (c) where written notification is sent by fax or e-mail, on the second day after the day on which it is transmitted; or
- (d) where a party requests written reasons in accordance with Regulation 8.29 above:
  - (i) where the written reasons are provided by first class post, on the second day after the written reasons have been sent by first class post to the Club and/or Person; or
  - (ii) where the written reasons are provided by fax or email, on the second day after the day on which it is transmitted.

10.12 For the purposes of Regulation 10.9 above, the notice of appeal will be deemed to have been served:

- a) where it has been sent by post, the second day after it has been sent by first class post by the Appellant;
- b) where it has been sent by fax, if it is transmitted on a business day before 4pm on that day, or in any other case, on the business day after the day on which it is transmitted; or
- c) where it has been sent by e-mail, on the second day after the day on which it is transmitted.

10.13 In case of any dispute in relation to the sending of a notice of appeal, the burden shall be on the party making the appeal to produce evidence of posting or confirmation of transmission (as appropriate).

10.14 An appeal may only be withdrawn if the Chairman of the Appeal Panel grants permission to such withdrawal.

#### **Powers of Appeal Panel**

10.15 The Appeal Panel has the power to:

- (a) dismiss the appeal;
- (b) quash a finding and any sanction imposed by the original Age Grade Disciplinary Panel;
- (c) remit the matter for a re-hearing;
- (d) substitute an alternative finding;

- (e) reduce or increase the original sanction; and/or
- (f) make such further order as it considers appropriate.

### **Attendance of the Appeal Hearing**

- 10.16 Where the appeal is against a decision which followed a Foul Play referral or is in respect of a Code of Conduct case not arising from a player being sent off, the party responsible for the complaint shall be entitled to a copy of the documents to be referred to at the appeal and shall be invited to attend the appeal hearing to prosecute the case.
- 10.17 A match official or referee adviser (if one was present at the relevant match) may be invited to attend the appeal hearing where there is an issue of fact to be determined and in any case where the Chairman of the Appeal Panel or the Disciplinary Officer considers it desirable. Such attendance is not mandatory and no inference may be drawn if the match official (and/or referee adviser) does not attend. The hearing may proceed without such attendance.
- 10.18 A member of the original panel which heard the case at first instance may attend the appeal hearing as an observer. He or she may give evidence at the appeal hearing about the first hearing where it becomes apparent that the Appellant or any witnesses (where witness evidence has exceptionally been allowed) have changed their account of what had occurred.

### **Procedure for Appeal**

- 10.19 The procedure for the appeal shall be determined by the Chairman of the Appeal Panel who may give directions as to the procedure for the appeal and the evidence to be adduced in order to limit the issues to be adjudicated upon or for the more efficient determination of the hearing.
- 10.20 Where a de novo hearing is exceptionally permitted, the Appeal Panel shall have regard to, but shall be entitled to depart from, the procedure for the appeal hearing set out below:
  - (a) the body or person responsible for the Foul Play referral or complaint shall call his evidence first;
  - (b) where the appeal is against a finding of fact, the evidence against the Appellant shall be called first;
  - (c) the Appellant may call witnesses in support of his case;
  - (d) at the discretion of the Chairman of the Appeal Panel, additional evidence may be presented by the Appellant irrespective of whether or not the additional evidence was available by reasonable enquiry could have been made available at the time of the original hearing;
  - (e) the Appeal Panel shall have discretion to hear any further witnesses and to seek such other evidence as they consider will be of assistance;
  - (f) the Appeal Panel may question the Appellant or any of the witnesses;
  - (g) in cases of the abuse of match officials, the match official may, through the Chairman of

the Appeal Panel, question:

- (i) the Appellant; and
  - (ii) witnesses who have given evidence against the Appellant; and
- (h) the Appellant shall be given the right of the last word.

### **Decision**

- 10.21 The Appeal Panel shall consider their decision in private and shall reach a decision on a majority vote with the Chairman having the casting vote in the event of equality.
- 10.22 Any sanction or suspension imposed, confirmed or varied by the Appeal Panel shall normally commence on the day following the date of the appeal, but may be delayed to take account of the end of the season or other relevant factors, or backdated if the player has not played since the incident.
- 10.23 The decision of an Appeal Panel shall be final and binding upon the parties, and there shall be no further right of appeal from it.
- 10.24 The Appeal Panel shall deliver its decision to the parties to the appeal proceedings orally at the end of the hearing or in writing within five days after the conclusion of the hearing.
- 10.25 Where a party to the appeal proceedings requires that written reasons be produced it must request such reasons within 48 hours following receipt of the decision, following which written reasons will be produced by the Appeal Panel as soon as is reasonably practicable.

### **Costs**

- 10.26 Whilst the Appeal Panel shall have discretion in this regard, an Appellant making an unsuccessful appeal may be required to pay the costs of the appeal which may include:
- (a) the costs of the Appeal Panel (including the cost of any independent members of the Appeal Panel); and/or
  - (b) the travelling expenses of any match official or referee adviser that attended the appeal hearing.

## **11 Unforeseen circumstances**

- 11.1 In the event that a particular incident takes place for which there is no provision in these Disciplinary Regulations, then the Disciplinary Officer may either refer the matter to the WRU Disciplinary Committee or the Chairperson of the WRU Age Grade Disciplinary Panel or else take such other action that he/she considers appropriate in the circumstances.
- 11.2 If the Disciplinary Officer refers the matter to the WRU Disciplinary Committee or to the Chairperson of the WRU Age Grade Disciplinary Panel that entity or person shall deal with the matter in accordance with general principles of natural justice and fairness.

**12. Financial Penalties / Sanctions**

- 12.1. If an Age Grade Player or Person is subject to any other form of sanction (such as an educative course), the Club shall bear its cost.