



**Alberta Rugby Union**

# **Discipline Policy**

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## Introduction

Rugby Union is a sport that involves physical contact. Any sport involving physical contact has inherent dangers. It is very important that players play the game in accordance with the Laws of the Game and be mindful of the safety of themselves and others. It is the responsibility of those who coach or teach the game to ensure that players are prepared in a manner which ensures compliance with the Laws of the Game and in accordance with safe practices.

It is the duty of the match officials to apply fairly all the Laws of the Game in every match except when an experimental law has been authorized by the World Rugby Council. It is the duty of Rugby Alberta and its sub-unions to ensure that the Game at every level is conducted in accordance with disciplined and sporting behavior. This principle cannot be upheld solely by the match officials; its observance also rests on Rugby Alberta and its affiliated bodies and clubs.

Terms used in this Policy that are defined in World Rugby's Laws of the Game shall have the same meanings in this Policy, unless a contrary definition or intention is stated herein.

### 1. Mandate

- 1.1. The Rugby Alberta Board delegates the primary responsibility for discipline issues to the Discipline Committee (DC).

### 2. Powers of the DC

- 2.1. The powers of the DC are as outlined in this document.
- 2.2. The Rugby Alberta Discipline Committee will oversee and rule on discipline matters for all playing divisions within the province.
- 2.3. Allegations of violations of the Rugby Alberta Code of Conduct (the "**Code**") are within the jurisdiction of the DC and may be heard by the DC. *(Please refer to the Rugby Alberta Code of Conduct.*

### 3. Composition of the DC

- 3.1. The DC shall be chaired by the person appointed by the Rugby Alberta President to chair the DC (the "**DC Chair**").
- 3.2. The DC shall include representatives of the Calgary Rugby Union and Edmonton Rugby Union.
- 3.3. The DC shall include a representative of RAMOA.
- 3.4. The Rugby Alberta Board shall appoint up to two independent persons as members of the DC.
- 3.5. The absence of any member of the DC shall not invalidate any hearing or decision made by the DC.

- 3.6.** The quorum for a DC hearing is one if the only person available is the DC Chair and two if the DC Chair is not available.
- 3.7.** For certain Rugby Alberta events (e.g. provincial regional championships), the Chair may delegate authority for the DC as the DC Chair determines is appropriate and, in conjunction with the Rugby Alberta President, the DC Chair may appoint *ad hoc* members of the DC for the purpose of holding DC hearings during such events.

#### **4. Conflict of Interest**

- 4.1.** A member of the DC is considered to be in a conflict of interest if either:
- a) the individual appearing at a hearing is a member of the DC member's club
  - b) the DC Chair determines in the DC Chair's sole discretion that the DC member is in a conflict of interest
  - c) the DC member has indicated a conflict, or potential for conflict in writing to the DC Chair.
- 4.2.** A DC member will not participate in resolving any matter in which the DC member has a conflict of interest as determined under article 4.1.

#### **5. Delegation of Authority**

- 5.1.** Except as set out in this Policy, the DC will deal with discipline in accordance with applicable Rugby Alberta policies and, specifically, with discipline reports that arise from Rugby Alberta sanctioned matches or competitions.
- 5.2.** Subject to Article 22 of this Policy, the DC may delegate discipline matters arising from a tournament to a duly appointed discipline officer for such tournament. Where no such delegation for a tournament has been made, the DC retains the right to hold a hearing and make a determination where there has been an act of foul play at the tournament that has resulted in a player being sent off or temporarily suspended.

#### **6. Scope of Responsibility**

- 6.1.** This Policy sets out the procedures for dealing with the following:
- a) when a player is sent off the playing enclosure;
  - b) when a player is cited for an act or acts of illegal or foul play;
  - c) when an act or acts of misconduct may have been committed by a union, club player or person.

- 6.2.** For the purposes of this Policy, illegal or foul play means a breach or breaches of Law 9 of the Laws of the Game.
- 6.3.** A player is sent off when they are sent off the playing enclosure permanently by the referee and can take no further part in the match in which they were sent off
- 6.4.** For the purposes of this Policy, misconduct shall mean any conduct, behavior or practices on or off the playing enclosure in connection with a match or tournament (excluding foul play during a match) that is unsporting or unruly or ill-disciplined or that brings or has the potential to bring the game, or Rugby Alberta, into disrepute.

## **7. Reports**

- 7.1.** Where a player in a match is sent off, the referee shall, within 48 hours of the completion of the match, provide a written report of the incident to the Rugby Alberta Office.
- 7.2.** If a player is sent off the playing enclosure because of the intervention of an assistant referee, then the assistant referee shall also deliver a written report to the Rugby Alberta Office within 48 hours of the completion of the match.
- 7.3.** When submitting a report in connection with the issuance of a yellow card, a red card or any other matter that falls within the jurisdiction of the DC, match officials must use the appropriate form of report provided by Rugby Alberta from time to time.
- 7.4.** Reports prepared by match officials when a player has been sent off should contain the following information:
  - a) the date of the match, the venue and the teams participating;
  - b) the name of the player sent off and their team;
  - c) the circumstances in which the player was sent off;
  - d) the reason for the player being sent off; and
  - e) any other information the match official considers relevant.
- 7.5.** Reports for consideration by the DC should be e-mailed to the Rugby Alberta Office or provided by any other means as approved by Rugby Alberta.
- 7.6.** In all proceedings heard by the DC, match officials may only give evidence of fact, not opinion, unless an opinion is expressly sought by the DC.

## **8. Initial Procedures Sending Off**

**8.1** A person sent off (under Article 6) or deemed to be sent off (under Article 9.11) or as may be applicable, subject to a misconduct complaint (under Article 16) may not take part or be selected for any match until their case has been dealt with by a DC.

a) A person or player who elects to appeal the DC's ruling of suspension or supplemental discipline, may not take part or be selected for any further match until a decision with respect to the appeal has been issued.

**8.2** The player sent off shall be supplied with a copy of the match official's report(s) as soon as reasonably practicable and advised:

a) of the date, place and time of the DC hearing at which the discipline proceedings will be heard;

b) that the player will be required to attend in person or by telephone or video link at the hearing;

c) that if the player is unable to appear at the DC as notified, he should advise the Rugby Alberta Office forthwith;

d) that the player is entitled to adduce evidence and make submissions and be represented by their club representative or a legal advisor; and

e) the player is not eligible to play pending resolution of the case.

**8.3** Where possible, notice to the sent off player under this Article 8 shall be given in writing. It shall be sufficient compliance with this Article 8 if a copy of the match official's report(s) and notice of the information required in article 8.2 are sent by email to the member's club.

(a) Where a player is deemed to have been sent off under article 6.5, it shall be sufficient compliance with this Article 8 if notice of the particulars of the three temporary suspensions are sent by email to the member's club.

## **9 Citing**

**Definitions:**

**"Citing"** means a request by a Member Club to have the DC formally review an incident believed to be worthy of a sending off.

**"Citing Incident"** means an alleged act of foul play occurring during a match that contravenes the Laws of the Game established by World Rugby and is worthy of a sending off (red card)

**"Citing Report"** means a written report with respect to a Citing Incident that includes the following:

- a) declaration of intent to cite,
- b) the name and/or number of the player(s) being cited and their club's name
- c) a description of the incident,
- d) the law(s) alleged to have been contravened,
- e) the date and time of the match, league of play, the minute of play and half when the incident occurred,
- f) either of:
  - i. admissible video, or
  - ii. a minimum of two separate and independently written reports from individuals who witnessed the alleged foul play, and
- g) any other relevant information pertaining to the incident, such as a description of any injury suffered.

**"Citing Representative"** means a person appointed by the DC to review a cited act of foul play and to determine whether a sending off would have been warranted in the circumstances of the cited act of foul play.

**"Member Clubs"** definition is outlined in the Rugby Alberta By-laws

**"Sending Off"** means a sanction where a player can take no further part in a match.

**9.1** Although the DC does not want to receive vexatious or nuisance citings, it will not condone acts contrary to the Laws of the Game that occur within the playing enclosure but may not have been detected by the match officials.

**9.2** World Rugby Regulation 17.15.2 outlines the referee's position as the ultimate judge of fact

and law during a Match and confirms that position is unassailable. The purpose of a subsequent review of an incident that occurred during a Match is to review incidents of potential foul play with the benefit of additional time and in some cases, additional footage and/or other evidence. The purpose of a subsequent review of an incident that occurred during a Match by a Disciplinary/Appeal Committee, is to determine whether there should be any disciplinary sanctions applied for an act(s) of Foul Play as provided for in Law 9. The referee's decisions on the field of play and their sporting consequences shall not be altered or overturned by a ruling of a Disciplinary/Appeal Committee.

- 9.3** The availability of citing shall be applied to all rugby matches or tournaments sanctioned by Rugby Alberta.
- 9.4** The DC will accept a citing if a Citing Report is submitted in writing to the Rugby Alberta Office within 48 hours from the conclusion of the match or tournament during which the Citing Incident occurred. The citing report may be e-mailed or hand delivered to the Rugby Alberta Office.
- 9.5** In circumstances where a player has not been cited within the time period specified in Article 9.4, the Chair of the Discipline Committee may decide to accept the citing as soon as reasonably practicable and in any event within a period of seven (7) days from the conclusion of the applicable citing period.
- a) The circumstances for accepting a "late" citing can include (but not limited to): mistaken identity, or the need for further investigation to identify the player(s) alleged to have committed the foul play or the seriousness of the alleged foul play.
- 9.6** Admissible video evidence shall mean, subject to the discretion of the DC, video evidence of the incident giving rise to the citing which provides unedited coverage for one minute both before and one minute after the incident giving rise to the citing.
- a) The DC may, in its discretion, accept video evidence of shorter duration if it is satisfied that the evidence has significant probative value and is not unreasonably prejudicial to any parties having regard to the circumstances surrounding the incident.
- 9.7** Upon acceptance of a citing, the Chair of the DC will make a preliminary examination regarding the merits of the citing. This examination will include:
- a) Review of the citing documents, and
  - b) consultation with the Citing Representative, as to their opinion, if the incident

cited would have warranted a Sending Off, and

- c) obtaining such information and reports and video in relation to the act or acts of illegal or foul play subject to the citing complaint that it considers appropriate.
- d) All persons requested to provide reports or information shall co-operate with such requests and provide the reports or information

**9.8** Following the preliminary examination, the Chair shall rule, either:

- a) Review of the citing documents, and
- b) the citing is vexatious, without merit or not likely to succeed. The individuals filing the report shall be informed that the DC will take no further action in the matter, or
- c) the citing is neither vexatious nor a nuisance complaint or is likely to succeed. The individuals filing the reports and the person cited shall be informed that the DC shall hold a hearing to consider the matter.

**9.9** Any hearing regarding a citing shall be held in accordance with the requirements of the Rugby Alberta Discipline Policy.

**9.10** A player who is the subject of a Citing Report will not be suspended pending the completion of a hearing for a Citing Incident unless the DC determines that the player has unduly delayed the completion of the hearing.

**9.11** It will be open to the DC, in extraordinary circumstances, to deem a player who is cited to be considered sent off, and thus immediately suspended, if the DC is satisfied that having regard to the incident of complaint and the DC's preliminary view of possible sanction, such action is warranted.

- a) Wherever practicable, a citation complaint should be adjudicated within 30 days of the end of the match in which the alleged foul play that is the subject of the complaint occurred.

## **10 Determination of a Discipline Case**

**10.1** The standard of proof for decisions of the DC is the balance of probabilities, not beyond a reasonable doubt.

**10.2** Decisions of the DC are based on the examination of the facts. Extraneous opinions about those who come before the DC are not germane to the process.

- 10.3** Subject to Article 11, the DC will show deference to a match official's report unless the DC determines, on the balance of probabilities, having given due consideration to the evidence provided to the DC, that the facts of the relevant incident differ from those set out in the match official's report.
- 10.4** The fact that a player may have been provoked into retaliation or committing foul play is no defense but may be considered when determining the sanction to be imposed.
- 10.5** The past record of a person appearing before the DC may not be considered in relation to guilt but may be considered when determining the sanction to be imposed.
- 10.6** In respect of any matter before the DC, it shall take a decision according to general principles of natural justice and fairness.

## **11 Standard of Proof**

- 11.1** This Article 11 relating to Standard of Proof has been prepared with the Laws of the Game in mind. It is essential to preserve the integrity of this Law and the referee's position as sole judge of fact and Law during the match.
- a) Any decision by a referee during a match cannot be affected by a ruling of the DC. A distinction is drawn between the referee's decision on the field of play and reasons for the decision.
  - b) This means that when the DC considers the discipline consequences of an incident, about which the referee has already made a decision during the match, the DC may, nevertheless, enquire into the referee's reasons for that decision and the circumstances surrounding it.
- 11.2** In any case where the DC considers any incident(s) of illegal or foul play or alleged illegal or foul play, it may decide to impose a sanction in accordance with the provisions of this policy, or in the case of an sending off where the DC is satisfied on the balance of probabilities that the referee's reasons for his decision were wrong, take no further action
- 11.3** In the case of a sending off, the function of the DC is to consider the circumstances of the case and determine what further sanction, if any, should be imposed on the player.
- a) The player sent off may seek to show that the referee's reasons for his decision were wrong and the DC may, subject always to article 11.1, review the referee's reasons for the sending off decision and the circumstances surrounding it.
- 11.4** In the case of a citing, the function of the DC shall be to review the case and determine whether on the balance of probabilities the player concerned committed the act or acts

of illegal or foul play that are the subject of the citing complaint, provided that:

- a) in any case where the DC is required to consider a citing complaint in respect of an incident where the referee has made a decision on the field of play in relation to that incident, the DC may review the referee's reasons for the decision and the circumstances surrounding it, and
- b) in any case where the DC is required to consider an incident of illegal or foul play or alleged illegal or foul play which has not been the subject of a determination on the field of play by the referee, it shall not uphold the citing complaint unless it is satisfied on the balance of probabilities that the player concerned committed the act or acts of illegal or foul play that are the subject of the citing complaint.

## **12 Discipline Committee – Power to Regulate its Own Procedures**

**12.1** The procedure of the DC shall be as the DC shall determine in each case and the DC shall be entitled to depart from the procedures set out in Article 13. However, subject to the power to regulate its own procedures and depart from the procedures set out in Article 13, it shall:

- a) seek to conform generally with the procedures set out in Article 13 and,
- b) ensure that a player subject to discipline proceedings has a reasonable opportunity to be heard and to present their case and,
- c) comply with the Standard of Proof provisions set out in Article 11

**12.2** In any case, the DC Chair, or delegate, may convene a pre-hearing conference for the purposes of giving directions for the hearing and clarification of the procedures. Such conference may include any player sent off or cited or any club or their representative, match officials, and any other person or body whose participation is considered desirable.

**12.3** The DC shall endeavor to ensure that discipline proceedings are heard in the presence of the club or player who is the subject of the proceedings, but nothing in this Policy, or otherwise, shall prevent a DC hearing and determining discipline proceedings in the absence of the club or player concerned where the club or player does not attend the hearing.

- a) In such circumstances, the DC may take written representations made by or on behalf of the club or player into account in making its decision.

**12.4** Procedures or proceedings under Article 13 or any decision of a DC shall not be quashed or held invalid by reason only of any defect, irregularity, omission or other technicality unless

such defect, irregularity, omission or technicality raises a material doubt as to the reliability of the findings or decisions of a DC and results in a miscarriage of justice.

- 12.5** The DC, prior to a hearing or at any stage during a hearing, may amend the offence for which the player or person has been sent off or cited unless, having regard to the circumstances of the case, such amendment cannot be made without causing injustice.

## **13 Discipline Committee - General Procedures**

- 13.1** A person attending a DC meeting may do so in person or by electronic means so long as the person and the other participants can communicate with each other during the meeting. The person attending by electronic means is deemed to be present in person for the purposes of the meeting.
- 13.2** A player who is required to attend a hearing by a DC shall be entitled to be represented at the hearing by an official of his club or other affiliated organization, or by legal counsel.
- 13.3** A player who is challenging the validity of a sending off bears the burden to prove that the on field decision was inappropriate.
- 13.4** The referee of the match in which the player is sent off may be required by the DC to attend the hearing of the DC whether in person or via telephone conference or video link.
- a) Nothing in this Article 13 shall prevent the DC hearing and determining discipline proceedings in the absence of a match official.
- 13.5** In respect of cases involving the sending off of a player, the DC shall ensure that, prior to the hearing, the player sent off has been supplied with, and has had a sufficient opportunity to consider, the match official's report, together with other evidence including any admissible video evidence.
- a) In respect of cases involving a citing complaint, the DC shall ensure that prior to the hearing, the player cited has been provided with and has had a sufficient opportunity to consider the Citing Report together with other evidence including any admissible video evidence.
- 13.6** The DC, subject to article 11.1, shall be entitled to receive such evidence and in such form as it thinks fit (including evidence in writing), notwithstanding the evidence may not be legally admissible and shall be entitled to attach such weight to that evidence as it sees fit.

**13.7** Generally, the DC shall look to the best evidence available to the DC. This means that first-hand accounts from persons present at the hearing as to their observations of the incident in question should be preferred.

- a) Hearsay evidence may be accepted. However, caution will be exercised before hearsay evidence is accepted in preference to first-hand evidence and generally less weight is likely to be given to hearsay evidence.
- b) Further, as a general rule, the DC should not permit the introduction of opinion evidence other than expert opinion evidence. Expert opinion evidence is only likely to be permitted when the evidence falls outside the everyday knowledge of members of the DC, for example, medical opinion.

**13.8** The DC shall be entitled to determine whether witnesses that give evidence are able to remain in the room in which the hearing is being heard after their evidence has been given.

**13.9** The DC may direct the attendance, at a hearing, any player sent off or cited, and any witness, in person or by telephone conference or by video link.

- a) Where such a direction is given by the DC, it shall be the responsibility of the club, the player or person or witness concerned to ensure that it is complied with, notwithstanding any arrangements that may need to be made or altered.
- b) In any situation where a direction given by the DC is not complied with, the DC may refuse to allow the evidence of the club, player or person or witness to be given in any other form.

**13.10** Where evidence is given before the DC there shall be no direct questioning of any witness, save by DC members, except as otherwise agreed by the DC. Questions may, however, be put to a witness through the DC Chair at the DC Chair's discretion.

**13.11** The DC shall be entitled to call on experts to provide specialist advice, including legal advice.

**13.12** Unless it otherwise directs, the procedure of the DC at a hearing for a sending off or a citing, will be as follows:

- a) the DC Chair will explain the procedure to be followed;
- b) The Chair of the hearing will advise the witnesses that their portion of the hearing is being recorded,
- c) for cases involving sending off, the referee's report and, where applicable, the Assistant referee's report or citing report will be read unless the player/club

advises in writing that they waive the reading of the sending off report/citing;

- d) the player will be asked to confirm if they admit that they have committed an act or acts of illegal or foul play;
- e) evidence from the sent off player, if they elect to give evidence, and from any witnesses to be called will be heard;
- f) final submissions will be heard.

**13.13** For citing complaints, the club which cited the player must have a representative in attendance at the hearing to present the basis of the citing complaint and any evidence in support.

**13.14** The player subject to the proceedings may admit the offence at any time in which case the DC should proceed immediately to hear submissions as to the sanction (if any) to be imposed.

**13.15** The DC deliberations on its decision shall take place in private.

- a) A decision of a DC shall be valid if taken by at least a simple majority of the Members of the DC of those eligible to participate.
- b) No Member of a DC may abstain from any decision subject to application of the conflict rules.
- c) Where a DC has an even number of Members and the Members of such DC are unable to come to a unanimous or majority decision, then the DC Chair shall have a casting vote.

**13.16** Subject always to Article 11, the DC shall, in the first instance, determine, its factual findings. Thereafter, as appropriate, it will reconvene and hear and consider evidence and submissions in relation to sanctions.

**13.17** The DC Chair shall, as he or she considers appropriate, be entitled to deal with any investigatory matters or procedural matters relating to a hearing.

**13.18** The DC shall have power to postpone or adjourn a hearing at which discipline proceedings are to be heard.

**13.19** Where discipline proceedings, however arising, are taken against more than one player as a result of incidents occurring in a match, such proceedings may be heard by a DC at the same time, provided there is no prejudice to any person against whom the discipline proceedings are taken.

**13.20** No member of the DC shall comment to the media on a decision of the DC but the DC Chair may release a copy of that decision to the media if it is available; or if a full written decision is not available, release to the media a brief resume of that decision.

## 14 Sanctions

**14.1** When imposing sanctions, the DC shall refer to World Rugby's sanctions for illegal or foul play in Regulation 17, Appendix 1, with the exception that, in most cases, the World Rugby period of time (usually weeks) shall be converted to matches.

- a) This conversion reflects the variety of matches played over a fixed time period in the various Rugby Alberta competitions and the nature of our shortened season of league and tournament play.
- b) For age-grade players, the DC will follow World Rugby's sanction variations for underage players (Regulation 17, Appendix 3).

**14.2A** a suspension from any union or sub-union makes an individual player ineligible to play rugby in any other jurisdiction until such time as the player has completed the sanction imposed by the first jurisdiction. This is based on the Reciprocity Policy found in Rugby Canada's Safe Sport Policy manual and the principle of universality outlined in World Rugby's Regulation 18 on Misconduct and Code of Conduct.)

**14.3** The DC shall undertake an assessment of the seriousness of the player's conduct, which constitutes the offending and categorize the offence as being at the lower end, mid-range or top end of the scale of seriousness, in order to identify the appropriate entry point for consideration of a particular incident(s), having specific regard to the recommendations of World Rugby. Such assessment of the seriousness of the player's conduct shall be determined by reference to the following features of offending:

*(Note: In Regulation 17, Appendix 1, World Rugby requires the entry point for "any act foul play which **results** in contact with the head and/or the neck shall result in at least a mid-range sanction"*

- a) the offending was intentional, that is, committed intentionally or deliberately;
- b) the offending was reckless, that is the player knew (or should have known) there was a risk of committing an act of illegal or foul play;
- c) the gravity of the player's actions in relation to the offence;
- d) nature of actions, manner in which offence committed including part of body used i.e. fist, elbow, knee or boot; and
- e) the existence of provocation and whether the player acted in retaliation or self- defence;
- f) the effect of the offending player's actions on the victim (i.e. extent of

- injury, removal of player from match);
- g) the effect of offending player's actions on the match;
- h) the vulnerability of victim player including part of victim's body involved or affected, position of player, ability to defend themselves;
- i) the level of participation in the offending and level of premeditation;
- j) whether the conduct of the offending player was completed or amounted to an attempt, and
- k) any other feature of the player's conduct which constitutes the offending.

**14.4** Having identified the applicable entry point for consideration of a particular incident, the DC shall identify all relevant off-field 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. Off-field aggravating factors include the following:

- a) an absence or lack of remorse or contrition on the part of the offending player;
- b) the player's status as an offender of the Laws of the Game;
- c) the need for a deterrent to combat a pattern of offending; and
- d) any other off-field aggravating factor that the DC considers relevant and appropriate.

**14.5** Thereafter, the DC shall identify all relevant off-field mitigating factors and determine if there are grounds for reducing the period of suspension, if any. Off-field mitigating factors include the following:

- a) the presence and timing of an acknowledgement of culpability by the offending player;
- b) a good record or good character of the player;
- c) the age and experience of the player;
- d) the player's conduct prior to and at the hearing;
- e) remorse for the player's actions and the victim player; and
- f) any other off-field mitigating factor that the DC considers relevant and appropriate.

**14.6** In cases involving offending that has been classified pursuant to article 14.3 as lower-end offending, where there are compelling off-field mitigating features and a complete absence of off-field aggravating features, the DC may apply sanctions less than the World Rugby lower-end entry sanctions and, in this respect only, the World Rugby lower-end sanctions are not minimum sanctions.

**14.7** In cases of multiple offences, the DC 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. In addition to any sanction imposed by the DC by reference to the World Rugby recommended sanctions, the DC may impose a term of probation of between six and 36 months during which the player may be subject to

harsher sanctions in relation to any new incidents requiring review by the DC.

- a) By default, unless the DC expressly determines otherwise, any offence while a player is subject to a probation sanction shall result in an automatic doubling of the penalty for the second offence.
- b) In any case, where a player has, in addition to the player's current offence, been previously suspended by the DC at any time when the player is under a probation sanction, the DC shall take into account the player's previous offence and suspension in imposing any penalty on that player.

**14.8** The DC may also, in appropriate circumstances, require, as part of a sanction imposed upon a player or a Coach, that the player or Coach attend and satisfactorily complete one or more referee or coaching development courses or one or more referee or coaching assignments.

**14.9** The DC shall, upon request of a player who has appeared at a discipline hearing, provide written reasons for its decisions which specify the reasoning for their findings, including the finding on culpability, how the DC has categorized the seriousness of the offence by reference to the standard described in article 14.3, how the DC applied aggravating and mitigating factors and concluding with the sanction, if any, imposed.

## **15 Traveling and Off-Field Infractions**

**15.1** Upon the receipt of a written complaint from a public carrier, hotel, or restaurant or any other similar business, institution or organization with respect to misconduct by Rugby Alberta members, the DC may require the cited member's club to post a bond of up to \$1,000 subject to a full hearing into the matter.

**15.2** The DC will determine, based on the evidence presented, the appropriate course of action to follow as a result of an investigation into this matter.

## **16 Misconduct**

**16.1** Clubs are responsible and accountable for the conduct of their players, officials and all persons under their jurisdiction (which shall include Club supporters, whether or not such supporters are Club members).

- a) Clubs, players and persons must conduct themselves in a disciplined and sporting manner and ensure that they do not commit an act or acts or misconduct.

**16.2** It is not possible to provide a definitive and exhaustive list of the types of conduct, behavior, statements or practices that may amount to misconduct. By

way of illustration, each of the following types of conduct is an example of misconduct:

- a) acts of violence or intimidation within the venue in which the match is being played including (without limitation) the tunnel, changing rooms or warm-up areas;
- b) acting in an abusive, insulting, intimidating or offensive manner towards match officials or any person associated with the clubs participating in the match or spectators;
- c) acts or statements that are or conduct that is discriminatory by reason of religion, race, sex, colour or national or ethnic origin;
- d) seeking or accepting any bribe or other benefit to fix a match or to achieve a contrived outcome to a match or to otherwise influence improperly the outcome of any dimension or aspect of any match;
- e) entering into any wager, bet or form of financial speculation, directly or indirectly as to the result of any other dimension or aspect of any match in which the person is directly or indirectly involved or connected with;
- f) providing inaccurate or misleading information about previous discipline record in any proceedings under this Article or other discipline proceedings or misleading information concerning the player's future playing intentions;
- g) comments or conduct in connection with current or anticipated discipline proceedings or match officiating (or any aspect thereof), which may be prejudicial to or impact on current or anticipated discipline proceedings or which are prejudicial to the interests of the match or any person
- h) any other breach of the Code.

**16.3** Where the DC is made aware of an act of misconduct as described in Law 9 of the Laws of the Game, but which did not result in a sending off or citing, the DC shall follow the policies and procedures contained in this policy.

- a) Where the DC is made aware of an act of misconduct, such as those in Article 16.2, the DC shall follow the policies and procedures contained in the Rugby Alberta Code of Conduct.

**16.4** The DC shall consider sanctions for misconduct in accordance with World Rugby Regulation 18.10.

## **17 Public Notice of Discipline Hearing Findings**

- 17.1** The Rugby Alberta Office will circulate DC minutes to DC members
- 17.2** The Rugby Alberta Office is to maintain a database with respect to all discipline cases reported to the DC.
- 17.3** Rugby Alberta will post all DC discipline hearing results and written reasons for all decisions on the Rugby Alberta website.

## **18 Appeals**

- 18.1** An appeal of an order of the DC shall be heard in accordance with the Rugby Alberta Appeal Policy.

## **19 Post Hearing Procedures**

- 19.1** The decision of the DC shall be advised to applicable parties, as soon as practicable after the conclusion of the hearing and shall be binding upon notification to the player or their representative, if any. Where it considers it appropriate, the DC may deliver a short oral decision at the conclusion of the hearing.
- 19.2** Relevant parties heard by the DC shall be entitled to a copy of any written decision of the DC which shall, where practicable, be sent to them by the host club within 48 hours after it is available.
- 19.3** In any case where a player is adversely affected by a decision of the DC, they shall be advised by the DC of the circumstances in which they may appeal as per the Rugby Alberta Appeal Policy. Such advice shall, ordinarily, be included in the DC's written decision, if any, and advised at the conclusion of the hearing if an oral decision is given.
- 19.4** The record of the proceedings, and all papers associated with the proceedings, shall be held by the DC which shall make the same available if required. Copies of the record shall be made available at reasonable cost only on appeal of the decision of the DC.

## **20 Playing While Under Suspension**

- 20.1** Rugby Alberta will not tolerate members playing while under suspension.
- 20.2** If a player is found to be playing while under suspension, the issue will be dealt with via Section 9.1 of the Rugby Alberta Rules & Regulations, and the player's team or club will be considered to have defaulted the game.

## 21 Definition of a Match for Purposes of Discipline

- 21.1** A match for the purposes of discipline is defined as a league, exhibition, representative match or a tournament under Rugby Alberta jurisdiction at the same divisional level, or above, in which the offence occurred.
- 21.2** Only one (1) match per day will count towards a player's suspension.
- 21.3** A player ejected from a Premier match may not count a lower division or league match as part of the player's sanction but may count an exhibition match, a representative fixture, a tournament or provincial or regional competition as part of the match count for the player's suspension in accordance with article 21.5.
- 21.4** A suspended player may use a defaulted match as a part of the match count for the player's suspension if the player was not a member of the defaulting team and in accordance with article 21.5.
- 21.5** An exhibition match, a representative match, a tournament, provincial or regional competition, may only be counted towards a suspension if, before the requested match is played, the player or the player's club requests in writing to the DC Chair to count these competitions as part of the suspension and the DC Chair provides written confirmation of its approval of the request application. (Note: e-mails are sufficient).
- 21.6** Generally, a sevens tournament will be treated as being equivalent to one divisional or league match.
- 21.7** The DC Chair has the final discretion to determine what constitutes a match for the purpose of a sanction.

## 22 Tournaments

- 22.1** Subject to the exceptions noted below, the provisions of this Policy shall apply, with appropriate alterations, to matches played, and any incidents arising from, a tournament sanctioned by Rugby Alberta.
- 22.2** The sponsors of each tournament shall arrange for one or more discipline officers (a "**Tournament Discipline Officer**") to be appointed to deal with any discipline issues arising during the tournament.
- 22.3** No person shall be entitled to act as a Tournament Discipline Officer unless his or her appointment as such has been approved by the DC.

**22.4** A duly appointed Tournament Discipline Officer shall deal with discipline issues arising during the pertinent tournament and, when doing so, shall apply the provisions of this Policy.

- a) A player who receives a red card while participating in a tournament shall not be eligible to play in any subsequent match until the player has appeared before the pertinent Tournament Discipline Officer or the DC

**22.5** A Tournament Discipline Officer will file within 72 hours of the tournament's completion a discipline report summary (in accordance with the form established from time to time by Rugby Alberta), which sets out the following:

- a) a discipline hearing summary for each red card issued during the tournament, shall include:

- name of player receiving red card;
- nature of the incident giving rise to the issuance of the red card;
- resolution of the Tournament Discipline Officer regarding the sanction to be imposed; and
- any additional observations of the Tournament Discipline Officer regarding the incident or hearing that should be considered by the DC; and

- b) a summary of any issue arising during the tournament, whether within the playing enclosure or external thereto, which the Tournament Discipline Officer believes merits consideration by the DC.

**22.6** The DC shall maintain a record of all red cards issued during a tournament.

**22.7** The DC shall review each tournament discipline summary and determine what, if any, additional action is required.

**22.8** The DC shall have the power to compel players who receive multiple red cards in tournaments during a season to attend a hearing before the DC. The provisions of this Policy shall apply to such hearing.

## **23 Two Yellow Cards in a Match**

**23.1** A player who receives two yellow cards in a match and is ordered off after the second yellow card will have a hearing with the DC.

**23.2** A player may appeal one or both yellow cards under the provisions of article 23.4 above.

- 23.3** If the DC upholds an appeal against one or both yellow cards for foul play, then the red card will be expunged from the player's record.
- 23.4** The DC is required to apply a sanction for the offence of repeated infringement and not for the substantive offences relating to each yellow card.
- 23.5** World Rugby's Regulation 17 will be followed when determining appropriate sanctions for multiple yellow cards in a match.