



RUGBY  
WORLD CUP™  
JAPAN日本2019

# RWC 2019

## Disciplinary process



JAPAN日本2019™

## Disciplinary process explained

Rugby World Cup 2019 is rugby's showcase global event and the integrity and consistency of the tournament disciplinary process is central to the image and reputation of the sport.

The on-field disciplinary process for Rugby World Cup 2019 deals with Foul Play and Misconduct. It reflects the citing, hearing and sanctioning process which applies across international Rugby as set out in World Rugby Regulation 17, but under expedited timeframes for the six-week tournament.

Japan 2019 is the first Rugby World Cup to feature the enhanced disciplinary process, launched after a full review of England 2015 and designed to achieve alignment with the match officials and a stronger emphasis on 'rugby empathetic' outcomes:

- Three-person judicial committees comprising of an experienced judicial chair and two panel members from a panel of former international coaches, players and referees
- Revised sanctions table launched in 2017 and game-wide education of disciplinary personnel to drive consistency across multiple jurisdictions
- One-team ethos between citing, judicial and match official environments
- Regular calibration sessions with citing commissioners, judicial personnel and match officials to achieve alignment on game-trends, law application emphasis and consistency

Rugby World Cup 2019 will benefit from the most experienced Citing Commissioners, Disciplinary and Appeal Committees. Disciplinary and Appeal Committees will be chaired by a senior lawyer joined by two former international players/referees who are highly-experienced sitting on disciplinary cases at international and professional level. All appointees have been selected on merit from the elite international Game following detailed analysis of their performance by the independent Judicial Panel Chairman, Christopher Quinlan QC, and the Citing Commissioner Manager, Steve Hinds. The appointment of Citing Commissioners, Disciplinary Committees and Appeal Committees during the Tournament is based upon nationality neutrality considerations.

The appointees are:

**Citing Commissioners:** James Absaloms (Kenya)\*, Freek Burger (South Africa)\*, Shaun Gallagher (England), John Montgomery (Scotland), Scott Nowland (Australia)\*, Michael O'Leary (New Zealand)\*, David Pelton (USA) and Murray Whyte (Ireland)\*

**Judicial chairs:** Adam Casselden SC (Australia)\*, Jean-Noël Couraud (France)\*, Sir James Dingemans (England)\*, Mike Hamlin (England), Nigel Hampton QC (New Zealand), Alan Hudson (Canada)\*, Roger Morris (Wales)\*, Shao-Ing Wang (Singapore) and Pamela Woodman (Scotland)

*\* Denotes previous Rugby World Cup experience*

**Judicial panel members:** Donal Courtney (Ireland, former international referee), David Croft (Australia, played at Rugby World Cup 2003), Frank Hadden (Scotland, head coach at Rugby World Cup 2007, *pictured*), Olly Kohn (former Wales international), John Langford (former Australia international), Leon Lloyd (former England international), José Luis Rolandi (Argentina, former international referee), Stefan Terblanche (South Africa, played at Rugby World Cup 1999 and 2003) and Valeriu Toma (Romania, former international assistant referee)

### **Citing Process**

A Citing Commissioner from a neutral country will be appointed for each of the 48 Matches in the Tournament. The Citing Commissioner will review the Match live and will have access to all the available angles and Hawkeye multi-camera feeds. The Citing Commissioner will also be able to investigate incidents and obtain witness, medical or other evidence. The Citing Commissioner may cite a Player for an act of Foul Play contrary to Law 9 of the Laws of the Game which s/he believes warranted a red card, within 36 hours of the conclusion of the Match. Where the Citing Commissioner requires more time to investigate a particular incident he may apply to the Disciplinary Committee for an extension of time.

### **Team Referral**

Teams may refer incidents of alleged Foul Play to the Citing Commissioner for review within 12 hours of the conclusion of the Match but only the Citing Commissioner has the power to cite a Player.

### **Citing Hearing**

If a Player is cited he will have a hearing before an independent Disciplinary Committee, ordinarily within 48 hours of the conclusion of the Match.

The Disciplinary Committee will review the available evidence (including footage of the incident from various angles in addition to other evidence such as medical reports as appropriate to the case). The Player will be given an opportunity to present his case and has the right to be represented. The Disciplinary Committee will first determine if the Player did commit an act of Foul Play which would have warranted a red card and, if so, what sanction, if any, from the World Rugby Recommended Table of Sanctions is appropriate in the circumstances taking into account the seriousness of the offending (e.g. intentional or reckless, gravity, injury), any aggravating features (e.g. poor disciplinary record or the need for a deterrent) and any off-field mitigating features (e.g. the Player's admission of his conduct and good record).

### **Red Card Hearing**

If a Player receives a red card (including two yellow cards) in a Match he will have a hearing before an independent Disciplinary Committee, ordinarily within 36 hours of the conclusion of the Match where he was ordered off.

The Disciplinary Committee will review the available evidence (including footage of the incident from various angles in addition to other evidence such as medical reports as appropriate to the case). The Player will be given an opportunity to present his case and has the right to be represented. The Disciplinary Committee will first determine if the Player did commit an act of Foul Play which warranted a red card and, if so, what sanction, if any, from the World Rugby Recommended Table of Sanctions is appropriate in the circumstances taking into account the seriousness of the offending (e.g. intentional or reckless, gravity, injury), any aggravating features (e.g. poor disciplinary record or the need for a deterrent) and any off-field mitigating features (e.g. the Player's admission of his conduct and good record).

### **Accumulation of Yellow Cards/Citing Commissioner Warnings**

All Players will be regarded as having commenced the Tournament without any yellow cards or Citing Commissioner Warnings on their record for the purposes of totting up during the Tournament.

Any Citing Commissioner Warning will be notified to an individual player and his Union within 36 hours of the completion of the Match. Citing Commissioner Warnings are issued by the Citing Commissioner for incidents of Foul Play which are not subject to a yellow or red card by the referee and which the Citing Commissioner considers falls just short of a red card offence. For the purposes of totting up they have the same status as a yellow card. This also means that a Player who receives two (or more) Citing Commissioner Warnings in one Match or a yellow card and a Citing Commissioner Warning in one Match will proceed to a hearing as if he had been red carded (i.e. for two yellow cards in one Match).

A Player who has received three Citing Commissioner Warnings, three yellow cards and/or a combination of three Citing Commissioner Warnings and/or yellow cards in three or more Matches will be required to appear before a Disciplinary Committee at an appointed time and place.

The list of yellow cards and Citing Commissioner Warnings accumulated by Players will be re-set to zero for the purposes of accumulation hearings immediately after the quarter-final Matches, meaning Players enter the semi-finals with no accumulated yellow cards or Citing Commissioner Warnings for the purposes of totting up.

## Appeals

The decision of the Disciplinary Committee shall be advised to applicable parties, as soon as practicable after the conclusion of the hearing (ordinarily within 24 hours of the conclusion of the hearing) and shall be binding on notification to the Player or his representative or Union. In any case where a Player is adversely affected by a decision of the Disciplinary Committee he shall be advised of the circumstances in which he may appeal to an Appeal Committee.

A Player may appeal to an Appeal Committee within 48 hours of the date on which the decision of the Disciplinary Committee has been notified.

RWCL may appeal to an Appeal Committee from a decision of a Disciplinary Committee. Any appeal of such decision must be lodged with the Tournament Director no later than 72 hours following receipt of the decision. The additional period of appeal for RWCL, consistent with the World Rugby regulations, allows for a cross-appeal to be lodged in light of any issues raised in the Player's appeal where appropriate.

The Appeal Committee shall determine the basis on which the appeal shall proceed. An appeal should, where reasonably practicable, be heard within 48 hours after its lodgement. The timing of the appeal hearing shall be determined by the Appeal Committee Chairman (as the case may be).

## Misconduct

Adherence to the laws of the Game, Regulations Relating to the Game, the Tournament Disciplinary Programme, the Terms of Participation and the spirit of fair play remains fundamental to the proper administration of the Game in the modern era and the Tournament. Accordingly, Participating Unions are responsible and accountable for the conduct of their Players, Team Members and other persons in attendance at the Tournament in an official capacity with the Union and/or otherwise within their jurisdiction.

Misconduct shall mean any conduct, behaviour, statements and/or practices on or off the playing enclosure during or in connection with the Tournament, any Match or otherwise that is unsporting and/or cheating and/or insulting and/or unruly and/or ill-disciplined and/or is in breach of Tournament rules and/or that brings or has the potential to bring the Game and/or any of its constituent bodies, RWCL and/or the Tournament and/or its appointed personnel and/or commercial partners and/or Match Officials and/or disciplinary or judicial personnel (including without limitation members of Disciplinary and/or Appeal Committees and Citing Commissioners) into disrepute. Misconduct shall only exclude Foul Play during a Match which has been the subject of consideration and a finding under the regime prescribed for Ordering Off and/or Citing in this Tournament Disciplinary Programme.

If RWCL or its nominee elects to bring a Misconduct complaint, then the matter shall be referred to a Disciplinary Committee for consideration.

If a Disciplinary Committee determines that an act or acts of Misconduct has been committed then a sanction will be imposed including, but not limited to, the following:

- (a) a caution, warning as to future conduct, reprimand;
- (b) a fine and/or compensation orders;
- (c) a suspension for a specified number of Matches (including all on-field activities) or period of time;
- (d) expulsion from the remainder of the Tournament
- (e) exclusion orders from Match Venues, Training Grounds and other Tournament environments;
- (f) suspension from involvement in officiating, coaching and/or administration of the Game;
- (g) the withdrawal of other benefits of membership of World Rugby including but not limited to the right to apply to host World Rugby Matches or International Tournaments and/or funding;
- (h) the deduction or cancellation of points or any similar sports or Tournament-based sanction; and/or
- (i) any combination of the above or such other sanction as may be appropriate.

A Participating Union, Player or Team Member or other person who is found to have committed an act or acts of Misconduct shall have the right to appeal against the finding of an offence of Misconduct and/or the sanction imposed within **36 hours** of the notification of the decision

## Notes to Editors:

- a) All of the Citing Commissioners, Disciplinary and Appeal Committee members (including the former players/referees) selected for RWC 2019 have been chosen on merit based on independent scrutiny by the Judicial Panel Chairman and the Citing Commissioner Manager of their performances in international and elite rugby disciplinary cases.
- b) The RWC disciplinary process timelines are summarised as follows:

Within 12 hours post-Match: Time limit for Teams to refer any incidents of alleged Illegal and/or Foul Play for the Citing Commissioner to consider.

Within 36 hours post-Match: (a) Time limit for Citing Commissioner to cite Player(s); (b) Hearings for Red card and accumulation of three yellow cards/Citing Commissioner Warnings by a Player will ordinarily take place.

Within 48 hours post-Match: Citing hearing before a Disciplinary Committee shall ordinarily take place.

Within 48 hours after receipt of Disciplinary Committee's oral or written decision whichever is first: Time limit for Player to appeal. Within 72 hours: Time limit for RWC to appeal/cross-appeal.

Within 48 hours of lodging of appeal: Appeal hearing ordinarily to take place.
- c) Cases are considered by a three-person independent Disciplinary Committee, chaired by a senior lawyer joined by two former international players/referees. At each hearing the RWC Designated Disciplinary Official presents the evidence in relation to the Player's case. The Player, who is entitled to be represented, then has the opportunity to present his case. The process is inquisitorial in nature. A decision of a Disciplinary Committee by simple majority (two to one) is valid to determine the case.
- c) Players and RWC have the right of appeal. Appeals are also considered by a three-person independent Appeal Committee, chaired by a senior lawyer joined by two former international players/referees. The Appeal Committee may dismiss the appeal, quash, vary and/or increase any decision and/or penalty appealed against and take any other steps in order to deal with the matter justly. A decision of an Appeal Committee by simple majority (two to one) is valid to determine the case.
- d) A Player who elects to appeal a suspension is not entitled to play until his appeal has been dealt with, which in the absence of extenuating circumstances, will be prior to his next Match.
- e) All hearings are held in private.
- f) The short form decision of the Disciplinary or Appeal Committee will be made known post-hearing. A full written decision will follow ordinarily within 24 hours of the decision.