

At Rugby Australia, discipline is one of our Core Values and we are committed to ensuring fair play is maintained and promoted, the safety and welfare of Players are protected and that acts of Foul Play are dealt with expeditiously, consistently and independently. The Judicial process is key to making these things happen. Appearing before a Judicial Committee at a hearing can be stressful and sometimes even overwhelming and confusing. The information in this FAQs will help you better understand the Judicial process so that you can be as ready and prepared as best you can when you attend your hearing.

For further information, please see [Rugby Australia's Disciplinary Rules](#) which govern the Judicial process.

So, you've been Red-Carded or Cited, now what?

You are automatically provisionally suspended and not permitted to play any Match until the matter has been determined by a Judicial Committee.

After receiving your Red Card or Citation, you will be contacted by someone from your Member Union who is responsible for coordinating the Judicial hearing (typically, the Competitions Manager). We call this person the Judicial Coordinator.

The Judicial Coordinator will advise you (and anyone else necessary such as your coach or club president):

- the date and time of your judicial hearing,
- who will be on the Judicial Committee to hear your matter, and
- whether the hearing will be held in person or online.

Hearings are typically held on Wednesday evening following a weekend of matches. You will be given as much notice as possible, but it could be as short as 24 hours.

In some cases, a hearing will not be required because the Judicial Committee has decided to offer an Early Admission of Breach Sanction

because the Foul Play is deserving of a sanction of 2 weeks or less. If you are offered an Early Admission of Breach Sanction, you may either accept the sanction or contest the matter before the Judicial Committee at a hearing.

Can't attend the hearing?

- Inform the Judicial Coordinator immediately and explain why you can't attend.
- Send a letter of apology to the Judicial Committee explaining your absence. (This is only recommended and the Judicial Coordinator can help you ensure the Committee receives this letter)

Before the hearing:

You'll be given:

- the Ordering Off Report or Citing Report, and
- any relevant evidence such as witness statements, medical reports or video footage.

You may also be asked by the Judicial Coordinator if you intend to admit or deny the charge of Foul Play.

Admitting the foul play:

- Admitting means you accept or acknowledge that that you committed the Foul Play (e.g. you admit you made a high tackle).
- This may lead to a reduced sanction since you show understanding of your wrongdoing.

You should inform the Judicial Coordinator of your intention to admit the foul play before the hearing if possible.

Denying the foul play:

- Denying means you do not accept or acknowledge that you committed the Foul Play (e.g. you believe your tackle was legal).
- You must show that the referee's or Citing Commissioner's decision was

likely incorrect (on the balance of probabilities).

- If you deny the charge and are found guilty, you risk the 50% discount on your sanction being unavailable.

Preparing for the hearing:

Read the Disciplinary Rules and Sanction Table in Appendix 1 and 2.

- Bring any evidence you are going to rely on when defending yourself. This could be:
 - video footage,
 - photographs,
 - witness statements (each individual witness should have their own signed witness statement), or
 - anything else you feel may help your case.

Whether you are admitting or denying the Foul Play, you should look at the mitigating and aggravating factors that the Judicial Committee must take into account under Steps 2 and 3 of the sanctioning process (Rules 86–88 and 89–91 of the Disciplinary Rules).

You should be ready to explain to the Judicial Committee why each factor does or does not apply to you.

You should bring:

- a schedule of your upcoming matches, and
- any character references.

What do I need to wear?

Although the hearing is intended to be informal, it would be suitable to show up in club kit.

Your rights:

- You have a right to hear the evidence against you and to be made aware exactly what rule/s you are charged with breaching.
- You have the right to be listened to, be represented by someone and show any evidence you have to defend yourself.

What if English isn't my language?

You're entitled to have someone there to support you and you can bring someone along who can translate for you. If you don't know

anyone who could do that, then we recommend contacting your Member Union representative you've been speaking with and let them know that English is not your first language and you will require assistance.

Who will be there?

- The disciplinary committee will have up to three independent people, though in some circumstances a smaller committee may convene. The Competition Manager from your union may be there, but in an administrative role only.
- You are entitled to legal representation, however, in most cases legal representation is not required. The committee will work with you to ensure they have from you all the relevant information and will want to hear from you and hear your version of events in your own words.
- You can also bring a support person such as a family member or close friend. A support person's role is only to support. They cannot speak on your behalf and play no role in the proceedings.

What is the order of the hearing?

- The committee will introduce themselves, state the alleged breach (the foul play), and begin by asking if you accept the breach.
- If you accept the breach, they will move onto the sanctioning process.
- If you deny the breach, they will hear evidence from you and any witness, review supporting documents.
- You will either need to accept or deny the breach.

What does a Judicial Committee decide?

The Judicial Committee decides whether the red-card threshold was met in relation to your alleged foul play. If it is determined that the threshold has been met, the Judicial Committee will determine what sanction will apply.

How will my sanction be determined?

- the Judicial Committee will determine the mandatory entry point that your sanction must start at for each offence.
- the entry points for each offence are set out in Appendix 1 of the Disciplinary Rules.
- Note, if the foul play involves head or neck contact at least a Mid-range sanction must be imposed.

Is there anything I can do to reduce my sanction?

- Aggravating factors (e.g. denying wrongdoing, dangerous conduct etc) can increase your sanction.
- Mitigating factors (e.g. a clean record, sincere apology, acknowledgement of wrongdoing etc) can reduce your sanction.

When will I find out the outcome?

The committee are responsible for letting you know the outcome of the hearing within five business days, however, most committees will conclude the hearing with the sanction.

You or your club will receive a written decision within the 5 days regardless of whether you find out the outcome at the hearing or not.

You have the right to an appeal under Section 5 of the Disciplinary Rules (Rules 99–116) in certain circumstances. Any appeal must be lodged within 48 hours of receipt of the written decision of the Judicial Committee.

Who to contact:

The hearing coordinator for your matter is:

Fraser Brydon

You can contact him via:

fraser.brydon@rugby.com.au

This is the person you should communicate with throughout this process, and they can help answer any questions you have or assist you in preparing for the hearing.