



Club Discipline Code of Practice Policy Document

WEF 12 May 2019

1. Discipline Committee

This is a Sub Committee of the Emerald Warriors RFC Committee to hear disciplinary cases by players or members relating to sendings off, citings, misconduct or conduct detrimental to the best interests of the Club or any other matter referred to it from time to time by the Committee and including:

1.1. Matters arising from any match

1.2. Matters referred by the IRFU, Leinster Branch IRFU, IGRAB or any other body to which the Club is associated

1.3. Matters referred by the Club Committee, by and EGM or AGM or by the team captain as set out in 5.6.4. of the Club Constitution

2. Composition of the Discipline Committee

2.1. As per clause 5.6.1 of the Club Constitution an AGM shall appoint the Discipline Committee, and shall be made up of:

(i) The President of the Club;

(ii) Three Club Full Members, one of whom must not be a member of the Committee.

2.2. The Discipline Committee hearing shall not include any person who has any direct interest in an issue under consideration.

2.3. The quorum for any hearing shall consist of a chairperson and two other members Discipline Committee.

2.4. If a member of any Discipline Committee (other than the Club President) is unable or unwilling, for any reason, to act, then the Club President may, in their absolute discretion co-opt a Full Member of the Club on to the Discipline Committee.

2.5. Within 10 days of its establishment Discipline Committee must select within itself a Discipline Officer.

3. Disciplinary Officer

The main functions of the Disciplinary Officer shall be:

3.1. To receive disciplinary reports, complaints and appeals on behalf of the Club, to convene the appropriate hearing to deal with the case and to communicate its decision to the relevant parties;

3.2. To investigate cases of alleged misconduct or any conduct alleged to be detrimental to the best interests of the Club, whether on or off the field of play, and whether or not the incident has been dealt with by the match officials, and to recommend to the Club Committee, in appropriate cases, that the matter be referred to the Discipline Committee;

4. Discipline Committee Procedures

The Discipline Committee shall follow these procedures:

4.1. The Disciplinary Officer shall confirm to the parties involved the date, time and place at which a hearing will take place;

4.2. The Discipline Committee shall select within itself a chairperson for each hearing;

4.3. Any objection to the composition of a hearing shall be made not later than 48 hours before the date of the hearing, failing which any objection shall be deemed to have been waived, provided only that if the

composition of the hearing has not been notified to the parties or it has been changed, so that it is not practicable to object 48 hours before the hearing, the objection may be made at the commencement of the hearing;

4.4. The chairperson of a hearing committee shall be entitled to determine any pre-hearing procedural or evidential issues or disputes without recourse to the other members of the hearing committee;

4.5. Subject to the requirements of natural justice the procedures to be adopted at the hearing shall entirely be at the discretion of the Discipline Committee;

4.6. A Discipline Committee may require any person to attend the hearing as a witness and shall be entitled to call experts to provide specialist advice, including legal advice;

4.7. The chairperson of a hearing shall be entitled to postpone or adjourn a hearing at their own discretion;

4.8. All proceedings before a hearing shall be held in private unless otherwise ordered by the hearing committee;

4.9. A decision of a Discipline Committee shall be valid if taken by a majority of the members of that committee. No member of a hearing may abstain from any decision. Where a hearing has an even number of members and the members of such committee are unable to come to a unanimous or majority decision, then the chairperson shall have a casting vote;

4.10. In any case where a Discipline Committee is required to consider:-

4.10.1. An incident of alleged foul play it may decide to impose a penalty or take such action as it deems appropriate in all the circumstances;

4.10.2 A referee's decision to send off a player, the Discipline Committee may review the referee's reasons for the decision and the circumstances surrounding it. In any such case the Discipline Committee shall not make a finding contrary to the referee's decision unless it is satisfied, on the balance of probabilities, that on the evidence adduced by or on behalf of the player, the referee's reasons for their decision were wrong;

4.10.3 an incident of alleged foul play which has not been the subject of a determination on the field of play by a referee it shall not impose any penalty unless it is satisfied, on the balance of probabilities, that the allegation is proved.

4.11. At any hearing the absence of any party or witness shall not, of itself, prevent the Discipline Committee from hearing and determining the matter.

4.12. Where a Discipline Committee requests a player or member to provide information in relation to any matter, a reasonable time limit may be permitted and notified for the provision of such information and in the event that such time limit is not complied with, the Discipline Committee may deal with the matter in the absence of such information.

5. Enforcement Powers

5.1. Where there is a breach or non-observance of any regulation, law or code of conduct, misconduct, or any other disciplinary matter, or non-compliance with any regulation, requirement or decision of a

committee or in any case considered to be detrimental to the best interests of the Club the Discipline Committee shall be entitled in its absolute discretion to impose any one or more of the following sanctions or penalties on the offending player or member, as the case may be:-

- (i) A caution, a warning as to future conduct, or a reprimand;
- (ii) The suspension or expulsion player or member for such period as may be deemed appropriate;
- (iii) Such other penalty or sanction as may be deemed appropriate;
- (iv) Make a payment of costs.

6. Disciplinary Procedures

6.1. Sendings Off

6.1.1. The Disciplinary Officer, unless exceptional circumstances make it impossible, shall, within twenty four hours of the end of the match in which he sent the player off the field of play, send to the Discipline Committee a written report incorporating:

- (i) The name of the player;
- (ii) The circumstances in which the player was sent off the field of play;
- (iii) The reason or reasons for the sending off;
- (iv) Any other circumstances he considers material.

6.1.2. A player who has been sent off shall not play the game pending determination of their case.

6.2. Citings

6.2.1. If a citing notification is received by the Club from the IRFU, Leinster Branch IRFU, IGRAB or any other body to which the Club is associated the Club's own disciplinary procedures must be enacted.

6.2.2. Citings are received from the IRFU, Leinster Branch IRFU, IGRAB or any other body to which the Club is associated where a player commits an act of foul play which would warrant the player concerned being sent off, which has not been detected by the match officials, then in such circumstances, either the Union, clubs, or organisations participating in the match have the discretion to cite that player in writing to the Union or the Branch, etc. having jurisdiction over the match.

6.2.3. A citing can be made by any of the participating organisations (i.e. Union, Branch, Club, Referees' Association or Society) through the IRFU, Leinster Branch IRFU, IGRAB or any other body to which the Club is associated.

6.2.4. A citing will be made in writing within seventy two hours of the end of the day of the alleged incident to the player's Union or Branch etc. giving the following information:

- (i) The date and place of the alleged incident;
- (ii) The name of the Club and the team of the alleged offender;
- (iii) The name of the opposing team; and
- (iv) Full details of the alleged incident.

6.2.5. The player, their club, the referee and where applicable the touch judges, shall be sent copies of the citing complaint.

6.2.6. The citing Club or participating organisation shall be required to send a representative to the hearing of the Union or Branch etc. Failure to do so shall result in the complaint being summarily dismissed.

6.2.7. A cited player may continue playing the game until suspended by a Union or Branch's Disciplinary Committee and/or the Club's Discipline Committee.

6.3. Procedures in sendings off and citings.

6.3.1. All disciplinary matters shall be dealt with by the Disciplinary Committee

6.3.2. The player sent off or cited shall be informed by the Disciplinary Committee as soon as possible of:

- (i) The reason for their sending off, or if the player is cited, a copy of the citation;
- (ii) The date, place and time of the hearing and where practicable the members of the hearing committee;
- (iii) The date and place of the alleged incident and the names of the teams involved;
- (iv) A requirement that they appear in person before the Disciplinary Committee and that if they are unable to do so that they shall contact the Disciplinary Officer of the Disciplinary Committee immediately.

6.3.3. Only in exceptional circumstances should a hearing be dealt with in the absence of the player

6.3.4. When necessary, the Disciplinary Committee should accommodate a reasonable request by the player that the hearing be postponed or adjourned

6.3.5 The player shall be entitled to be accompanied by up to two persons one of whom may be a legal representative at the hearing.

7. Discipline Committee Decisions

7.1. The Discipline Committee in making its decision in the case of illegal or foul play shall have regard to the I.R.B. Sanctions and Procedures contained in Appendix I below.

7.2. If the Discipline Committee finds on the facts established before it that the offence originally referred to Discipline Committee or in a citation has not been proved but that a lesser offence has been committed by the player, it may decide to sanction the player for such lesser offence.

7.3. In the case of misconduct the Discipline Committee shall have the power to impose any one or more of the following sanctions which sanction may, where appropriate, be suspended:

- (i) A caution, a warning as to future conduct, or a reprimand;
- (ii) The suspension or expulsion player or member for such period as may be deemed appropriate;
- (iii) Such other penalty or sanction as may be deemed appropriate;
- (iv) Make a payment of costs.

7.4. All Parties shall be notified in writing as soon as practicable after a decision of the Discipline Committee has been made.

8. Appeals

8.1. Right of Appeal

8.1.1. An appeal may be brought to the Club Committee by a player or a member from a decision of the Discipline Committee

8.1.2. The filing of a notice of appeal against a decision of the Discipline Committee shall not act as a stay on or deferral of any penalty or sanction imposed by the Discipline Committee.

8.1.3. In all cases the decision of the Club Committee shall be final and binding on all parties and shall neither be appealed nor reviewed in a court of law.

8.2. Notice of Appeal

8.2.1. For an appeal to be valid, the party making the appeal (the “appellant”) shall comply with the following conditions:

- (i) File a notice of appeal (the “notice of appeal”) and comply in all respects with regulation below, with the Disciplinary Officer or the Club Committee as is appropriate not more than fourteen days after the date of the decision being appealed against. The notice of appeal shall be deemed to have been filed when it is received by the Disciplinary Officer or the Club Committee as the case may be
- (ii) Sign the notice of appeal and set out thereon:-
 - (a) The date of the decision appealed against;
 - (b) The specific aspect(s) and parts of the decision being challenged, and
 - (c) The specific grounds of challenge. No further grounds of challenge may be advanced without the express prior consent of the Club Committee.

8.2.2. The appellant must serve a copy of the notice of appeal on all the other parties to the original proceedings all of whom shall be deemed to be parties to the appeal.

8.2.3. Where the conditions above are not fully complied with the appeal shall be deemed to be invalid and shall be dismissed by the Club Committee unless the appellant demonstrates sufficient cause and establishes exceptional circumstances to the Club Committee to exercise their absolute discretion to permit the appeal to proceed. If the appeal is dismissed pursuant to this regulation the original decision appealed against shall be deemed to be final and binding.

8.3. Membership of the Club Committee in relation to appeals

8.3.1. None of the members of the Club Committee who sat on the Discipline Committee that made the decision being appealed may sit on the Club committee relating to this appeal.

8.3.2. No person who was party to the original proceedings may sit on the Club committee relating to this appeal.

8.4. Decisions of Club Committee in relation to appeals

8.4.1. The Club Committee may:-

- (i) Affirm the decision appealed against;
- (ii) Set aside, in whole or in part, the decision appealed against;
- (iii) Substitute its own decision for the decision appealed against;
- (iv) Revoke or modify any direction or order as to costs;
- (v) Take any other step that it considers necessary to determine the appeal.

8.4.2. The Club Committee shall advise the parties of its decision which shall take effect immediately. The Committee shall confirm its decision in writing as soon as practicable after the hearing.

9. General

9.1. Public Announcements

The Discipline Officer may publish the decisions of the Discipline Committee as soon as is practicable after the decision has been communicated to the parties. The public announcement of the decision may be by release of the decision itself, or by way of a summary that includes details of the illegal or foul play or misconduct and of the sanctions imposed, if any.

9.2. Until such time as a decision is published all parties shall treat the proceedings and the decision itself as confidential.

9.3. Multiple Incidents

Two or more persons or parties may be dealt with at the same hearing where the issues and matters to be decided arise out of the same match, incident or facts.

9.4. For the avoidance of doubt a player may be sanctioned for misconduct even if a referee has already penalised one or more players for his or their conduct during a match.

9.5. Technical and Procedural Breaches

No proceedings, decisions, or orders made pursuant to these regulations shall be deemed invalid by reason only of any procedural or drafting omission or irregularity.

9.6. Extension of Time

Where under these regulations any time is permitted or prescribed the Discipline Committee shall have discretionary power, on good cause shown, to extend, abridge or vary the prescribed time.

9.7. Communications

All communications regarding any hearing shall be sent to the Disciplinary Officer.

9.8. Applicable Law

These Regulations shall be governed by and construed in accordance with the Laws of the Republic of Ireland.

APPENDIX 1

SANCTIONS AND PROCEDURES

1.

When imposing sanctions, the Discipline Committee dealing with sending off and/or citing shall apply the I.R.B. recommended penalties for illegal and/or foul play set out hereunder.

2.

The Discipline Committee shall undertake an assessment of the seriousness of the player's conduct, which constitutes the offending and categorise 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) where such incident(s) is expressly covered in Appendix 1. Such assessment of the seriousness of the player's conduct shall be determined by reference to the following features of offending:

- (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 and/or foul play.
- (c) The gravity of the player's actions in relation to the offence:
 - (i) Nature of actions, manner in which offence committed including part of body used i.e. fist, elbow, knee or boot;
 - (ii) The existence of provocation and whether the Player acted in retaliation and or self-defence;
- (d) The effect of the offending player's actions on the victim (i.e. extent of injury, removal of player from game);
- (e) The effect of offending player's actions on the game;
- (f) The vulnerability of victim player including part of victim's body involved/affected, position of player, ability to defend themselves;
- (g) The level of participation in the offending and level of premeditation;
- (h) Whether the conduct of the offending player was completed or amounted to an attempt;
 - (i) Any other feature relevant to the offending.

Based on the assessment of the offence(s) under consideration against the above features of offending, the hearing committee shall categorise the offence(s) as being at the lower-end, mid-range or top-end of the scale of seriousness of offending and identify the applicable entry point where set out hereunder.

For offences categorised at the top end of the scale of seriousness of offending, the Discipline Committee is entitled to identify an entry point between the period shown as the top end hereunder and the maximum sanction. (The plus sign against each top end period of suspension denotes this entitlement to flexibility.)

3.

Having identified the applicable entry point for consideration of a particular incident, the Discipline Committee 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 factors include the following:

- (a) An absence or lack of remorse and/or contrition on the part of the offending player;
- (b) The player's status as a persistent offender of the laws of the game;
- (c) The need for a deterrent to combat a pattern of offending;
- (d) Any other off field aggravating factor that the Discipline Committee considers relevant and appropriate. The player's disciplinary record in all competitions and (as appropriate) in other sports during their playing career from the age of 18 shall be considered by the Discipline Committee. In any case in which the Discipline Committee establishes that the player has previously been found by a hearing committee to have committed an act of illegal and / or foul play and / or misconduct, then the Discipline Committee in imposing any sanction on the player may in fixing that sanction take account of such offending as an aggravating factor.

- 4.
- (a) Thereafter, the Discipline Committee shall identify all relevant mitigating factors and determine if there are grounds for reducing the period of suspension, if any. Mitigating factors include the following:
- (i) The presence and timing of an acknowledgement of culpability/guilt by the offending player;
 - (ii) A good record and/or good character;
 - (iii) The age and experience of the player;
 - (iv) The player's conduct prior to and at the hearing;
 - (v) Remorse for the player's actions and the victim player;
 - (vi) Any other off field mitigating factor that the Discipline Committee consider relevant and appropriate.
- (b) In cases involving offending that has been classified as lower end offending, where there are compelling on-field and/or off-field mitigating features and a complete absence of on-field and/or off-field aggravating features, the Discipline Committee may apply sanctions less than the lower-end sanctions specified hereunder and, in this respect only, the lower-end sanctions set out hereunder are not minimum sanctions.
- (c) In cases of multiple offending, hearing committees may impose sanctions to run either on a concurrent or on a consecutive basis provided that the total sanction is in all the circumstances proportionate to the level of the overall offending

5.

The Discipline Committee shall in its written decision set out the reasoning for its findings, including the finding on culpability, how it has categorised the seriousness of the offence by reference to the standard features of offending set out in this Appendix how it applied aggravating and mitigating factors and conclude with the sanction, if any, imposed.

6.

Whenever any period of suspension is imposed by the Discipline Committee the commencement of such suspensions may be deferred at the discretion of the Discipline Committee which imposed it based on this Appendix. Any suspension must be imposed until a stated date which should be fixed after taking into consideration all playing consequences of such suspension.

7.

For cases involving illegal and/or foul play, the Discipline Committee may not suspend the effect of any sanction to be imposed.

IRB RECOMMENDED SANCTIONS

IRB Recommended Sanctions for Offences within the Playing

Enclosure (Regulation 17) Law No.	Description	Entry Point Based on Scale of Seriousness of the Player's conduct, which constitutes the offending – Lower-End (LE), Mid-Range (MR), Top-End (TE).	Maximum Sanction
10.4(s) 10.4(m)	Verbal Abuse of Match Officials	LE – 6 weeks MR – 12 weeks TE 18+weeks	52 weeks
10.4(s) 10.4(m)	Physical Abuse of Match Officials	LE – 24 weeks MR – 48 weeks TE 96+ weeks	Life
10.4(s) 10.4(m)	Threatening Actions or Words at Match Officials	LE – 12 weeks MR – 24 weeks	260 weeks

		TE 48+ weeks	
10.4(a)	Striking another Player with a hand, arm or fist	LE – 2 weeks MR – 5 weeks TE 8+ weeks	52 weeks
10.4(a)	Striking another Player with the elbow	LE – 2 weeks MR – 5 weeks TE 9+ weeks	52 weeks
10.4(a)	Striking with knee	LE – 3 weeks MR – 8 weeks TE 12+ weeks	52 weeks
10.4(a)	Striking with head	LE – 4 weeks MR – 8 weeks TE 12+ weeks	104 weeks
10.4(b)	Stamping on an Opponent	LE – 2 weeks MR – 5 weeks TE 9+ weeks	52 weeks
10.4(b)	Trampling on an Opponent	LE – 2 weeks MR – 5 weeks TE 9+ weeks	52 weeks
10.4(c)	Kicking an Opponent	LE – 4 weeks MR – 8 weeks TE 12+ weeks	52 weeks
10.4(d)	Tripping an Opponent with the foot/leg	LE – 2 weeks MR – 4 weeks TE 7+weeks	52 weeks
10.4(e)	Dangerous tackling of an Opponent including early or late and including the action known as the “stiff arm tackle”	LE – 2 weeks MR – 6 weeks TE 10+ weeks	52 weeks
10.4(e)	Dangerous tackling of an Opponent including a tackle or attempted tackle above the line of the shoulders even if the tackle starts below the line of the shoulders	LE – 2 weeks MR – 6 weeks TE – 10+ weeks	52 weeks
10.4(f)	Holding, pushing or obstructing an Opponent not holding the ball, by a Player who is not in possession of the ball, except in a scrum, ruck or maul	LE – 2 weeks MR – 4 weeks TE 6+ weeks	52 weeks
10.4(f) 10.4(k)	Dangerous charging or obstructing or grabbing of Opponent without the ball, including shouldering	LE – 3 weeks MR – 5 weeks TE 9+weeks	52 weeks
10.4(g)	Dangerous charging or knocking down an Opponent with the ball, including shouldering	LE – 2 weeks MR – 5 weeks TE 9+ weeks	52 weeks
10.4(h)	A player must not charge into a ruck or maul. Charging includes any contact made without use of the arms, or without grasping a player	LE – 3 weeks MR – 5 weeks TE – 9+ weeks	52 weeks
10.4(i)	Tackling, tapping, pushing or pulling an Opponent jumping for the ball in a lineout or in open play	LE – 3 weeks MR – 6 weeks TE – 10+ weeks	52 weeks
10.4(j)	Lifting a Player from the ground and either dropping or driving that Player’s head and/or upper body into the ground whilst the Player’s feet	LE – 3 weeks MR – 6 weeks TE – 10+ weeks	52 weeks

	are off the ground		
10.4(k)	Causing a scrum, ruck or maul to collapse	LE – 2 weeks MR – 4 weeks TE 8+ weeks	52 weeks
10.4(m)	Testicle grabbing or twisting or squeezing	LE – 12 weeks MR – 18 weeks TE 24+ weeks	208 weeks
10.4(m)	Biting	LE – 12 weeks MR – 18 weeks TE 24+ weeks	208 weeks
10.4(m)	Contact with Eyes or the Eye Area	LE – 12 weeks MR – 18 weeks TE 24+ weeks	156 weeks
10.4(m)	Spitting at Players	LE – 4 weeks MR – 7 weeks TE 11+ weeks	52 weeks
10.4(m)	Verbal abuse of Players based on Religion, Race, Colour, or National or Ethnic Origin or otherwise	LE – 4 weeks MR – 8 weeks TE 13+ weeks	52 weeks
10.4(m)	Any other acts (not previously referred to) which are contrary to good sportsmanship	LE – 4 weeks MR – 7 weeks TE – 11+ weeks	52 weeks

In respect of offences not referred to above, appropriate sanctions may be imposed at the discretion of the Discipline Committee.

Notwithstanding the recommended sanctions in this Appendix and/or the provisions of Regulation 17.14 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, in fact, did result in serious/gross consequences to the health of the victim, the Discipline Committee may impose any period of suspension including a suspension for life.

In respect of offences not referred to above, appropriate sanctions may be imposed at the discretion of the Discipline Committee.

Notwithstanding the above, in cases where the player's actions constitute serious illegal and/or foul play for any type of offence which has the potential to result and, in fact, did result in serious/gross consequences to the health of the victim, the Discipline Committee may impose any period of suspension including a suspension for life.

APPENDIX 2

GUIDELINES FOR DISCIPLINARY COMMITTEES

A. DISCIPLINE COMMITTEE

A. 1.

The procedure in disciplinary cases may include the following (which normally may be dealt with in the sequence set out below):-

- (a) At the commencement of the meeting the chairperson should explain the procedures to be followed and introduce each member of the Discipline Committee to the player or member and their representatives
- (b) Confirm the player's or member's name and identification and the reason why the person(s) is being brought before the Discipline Committee
- (c) The player or member should be offered the opportunity to acknowledge their culpability or otherwise in relation to the offence;
- (d) At all meetings of the Discipline Committee, the committee, the match officials (if appropriate), and the player/member, shall be entitled to call such witnesses and put forward such evidence including video evidence as may be relevant provided always that no witness may remain at the hearing without the express approval of the Discipline Committee;
- (e) The Discipline Committee shall have absolute discretion as to whether or not to receive and view video evidence and in deciding whether any evidence put forward is relevant;
- (f) Receive the comments of the player or member and their representatives, (if any);
- (g) In the event of the evidence given by the player or member disputing or conflicting with the report of any witness, the player or member or their representatives shall be entitled to question said witnesses;
- (h) Consideration of the evidence by the Discipline Committee after all the other parties have left the meeting;
- (i) Making and promulgation of the Discipline Committee's decision.

A. 2.

- (a) The chairperson of the Discipline Committee should hand or send to the player or member, as soon as practicable, a notice in writing informing them of the decision reached which notice should, include an advice to the player or member of their right of appeal to the Club Committee within fourteen days of receipt of the written decision. The chairperson should also verbally advise the player or member of that right.
- (b) In the event of the hearing having been dealt with in the absence of the player or member, the Hon. Secretary of the Club or the Disciplinary Officer, as appropriate, shall notify the player or member of the decision of the Discipline Committee immediately thereafter by sending the notice of
 - (i) The decision to them
 - (ii) Their right of appeal

A. 3.

The hearing committee should meet as soon as possible and preferably within six days of a player's dismissal taking place.

B. THE CLUB COMMITTEE IN RELATION TO APPEALS

B.1.

The Club Committee has all the powers, procedural and otherwise, entitlements, obligations and discretions contained in the Club's Regulations, including when dealing with disciplinary appeals.

B.2.

The following additional procedural guidelines shall apply to the conduct of appeals:-

(a) Prior to the hearing, the chairperson of the Club Committee in relation to appeals may require any party to the proceeding to identify its submissions and contentions in the appeal and/or to respond to the other parties' submissions and contentions. In addition, where practicable, written submissions and evidence shall be provided to the Club Committee in relation to appeals and exchanged by the parties prior to the hearing;

(b) Where the appellant appeals against a sanction, the appellant may request that the Club Committee in relation to appeals review the sanction without the need for the appellant to appear personally at the hearing. If the chairperson of the Club Committee in relation to appeals decides that the appellant need not appear personally at the hearing, then the appellant and any other party to proceedings shall be entitled to make representations in writing to the Club Committee in relation to appeals;

(c) The Club Committee in relation to appeals shall be entitled to conduct and regulate the appeal proceedings as it sees fit in the circumstances of the case. The said committee shall determine the procedure and basis on which an appeal will proceed. In relation to any issues of fact, it may refer to the record of proceedings before the Club Committee in relation to appeals that made the decision being challenged on appeal and may, in its discretion, rehear the whole or any part of the evidence given in the said proceedings. Save where the Club Committee in relation to appeals decides to hear the entire case *de novo*, the appellant shall have the burden of proving that the decision being challenged was in error and should be overturned or varied;

(d) The Club Committee in relation to appeals shall have discretion to receive additional new evidence not given to the Discipline Committee whose decision is being appealed against, provided that the party offering the evidence shows that it was not, on reasonable enquiry, available at the time of the earlier proceedings and hearing;

(e) Save where otherwise directed by the Club Committee in relation to appeals, all parties that were present at the Discipline Committee whose decision is being appealed against should attend the hearing before the Club Committee in relation to appeals with all of their respective witnesses and other evidence. For the avoidance of doubt, however, the absence of a party at any hearing before the Club Committee in relation to appeals shall not, in itself, prevent that committee from proceeding to a decision in the matter. The Club Committee in relation to appeals have absolute discretion whether to receive written submissions by or on behalf of such absentee(s);

(f) At the hearing the following guidelines should apply:-

(i) The chairperson of the committee shall introduce the members of the committee to the parties. They shall then read out the notice of appeal, prior to explaining the procedure to be followed;

(ii) The appellant shall be invited to make submissions and (where appropriate) call witnesses;

(iii) The other party or parties to the appeal shall be invited to make submissions and (where appropriate) call witnesses;

- (iv) The parties shall each make brief concluding submissions;
- (v) The committee shall retire to deliberate in private.

(g) In any case where a witness required by the Club Committee in relation to appeals refuses or fails to attend before the committee, the committee may, in its absolute discretion, refuse to allow the evidence of that witness to be given in any other form.

C. GENERAL

C.1.

Each case must be treated on its merits and any sanction imposed must be seen to be fair and equitable and in accordance with the circumstances of the individual case.

C.2.

If the disciplinary action relates to a player the players' disciplinary record during their playing career from the age of 18 should be reflected in the sanction imposed.

C.3.

The player may not play the game anywhere during the period of a suspension.

C.4.

Any suspension must be imposed until a stated date which should be fixed after taking into consideration all consequences of such suspension.