



Judicial Processes & Procedures

Unfortunately red cards happen, we all wish they wouldn't but unfortunately they do. The following steps represent the WRFU judicial process starting from when the red card is given.

The referee will immediately after the match notify a senior member of the WRRRA about red card(s) being given in a match. The WRRRA will pass this information onto the WRFU Club Rugby Administrator by 6pm Saturday.

The WRFU will decide if we have jurisdiction over the match (if it is being played in a WRFU competition we have jurisdiction.)

The referee and or assistant referees will forward a red card report to the WRFU on or before the preceding Monday (or within 48 hours if the game is not played on a Saturday). This report as well as an 'Ordering Off Notification' will be sent from the WRFU to the relevant club. The 'Ordering Off Notification' states that the player will be immediately suspended for 2 weeks, subject to a judicial hearing which will either remove, reduce, confirm, or extend the ban.

Monday (or within 48 hours if the game is not played on a Saturday)

The Club Rugby Administrator will get in touch with the relevant Club Captain via phone. At this stage the club captain has four options:

1. The club can attend a judicial hearing at the WRFU on the immediate Wednesday (on rare occasions the hearing may be a Tuesday or Thursday). For Wednesday night matches the hearing will be held on Friday evening. This has the benefit of giving the club and player the chance to clear his name and not miss any games, as well as dealing with the issue as soon as possible. It is recommended that the player; and a representative of the club who can talk about the player's general conduct in the club attend the hearing; as well as any relevant witnesses.
2. The club can defer the hearing until the following week. The relevant player/s will be suspending for at least the intervening Saturday.
3. Clubs may enter an early guilty plea. This is where the club is satisfied the player has committed the conduct and is guilty of the offence, and mean an attended hearing is not necessary. The requirements for the early guilty plea are twofold. First the club must send in a letter stating the early guilty plea on behalf of their player. The letter may contain any mitigating factors they feel is appropriate (e.g. age, helping out at the club, player has the support of the club, length of time playing rugby, clean record etc.). Secondly the player must send in a letter acknowledging his guilt and providing an apology for his/her conduct.
4. The club has the option of not attending a judicial hearing at all.

Once this decision has been made, the club captain will be notified the exact time and date of the hearing. The Judicial Chairman, the WRRRA representative, as well as two Rugby Board delegates will be informed of the time and date of the hearing, and will receive a copy of the referee's report.



WELLINGTON RUGBY FOOTBALL UNION INC.



Tuesday (or Thursday if it's a Wednesday night match)

The time and date will be confirmed with anyone who it still needs to be confirmed with.

Wednesday

The hearing will almost always take place at the WRFU offices, Level 2, 191 Thorndon Quay, Thorndon. A rough sketch of the hearing follows:

- The Judicial Chairman will first ask whether the red card was properly awarded. If you wish to defend on this question, the only thing that can be argued is that the player did not do what is alleged, or that it is a case of mistaken identity.
- Everything else is mitigation and does not come under the Chairman's first question, for example "the punch wasn't that hard" or "I was provoked" or "He's a really good club man, no prior record, helps around the club" etc. All of this will come under the mitigation section which will eventually conclude with the length of the suspension. The Chairman will usually give the decision orally at the end of the hearing.

The Judicial Administrator will then send out a Sentence Notification report to the relevant club captain, with the details of the player's suspension enclosed. Clubs have 48 hours from receipt of this notification to appeal the decision if they wish to do so.

Match Called Off

In the event of a match being called off by the referee due to foul play, the hearing will take place on the following Wednesday (or Friday if it's a Wednesday night match) barring extreme circumstances. The hearing must be attended by the captain and coach of each team; it is also recommended that a representative of the club turn up. The process is exactly the same.

Cittings

If a club or team would like to cite an incident from their game, they have to let the WRFU know within 48 hours following the game, along with supporting evidence. The details must be in a written form on WRFU Form 5, and must be as complete as possible.

Please note in order for everyone to save a lot of time and trouble that the only practical way that someone or a team will be found guilty is if there is clear physical evidence (such as photos or a video). Without this, it is practically impossible to determine what actually happened, as we will have a "he said – she said" scenario.