



THE CITING PROCEDURE

Appendix 2 - Citing Complaints and Citing Procedures

1. The Disciplinary Panel will consider cases in which a Player is cited for an act of Foul Play.
2. A citing may be initiated by any of the following, where there is an allegation that a Player committed an act of foul play but was not awarded a red card for that act:
 - (a) a Club involved in the relevant match;
 - (b) a member of the Board of Directors and/or WRU Council; or
 - (c) The WRU Disciplinary Officer
3. The citing may be for an act of Foul Play dealt with by match officials at the time, as well as for incidents of Foul Play which were not detected by match officials.
4. To be valid, a citing must be in writing and **must be lodged within seven (7) days of** the relevant match to the WRU Disciplinary Department and **must be supported by the following:**
 - (a) the date, venue and teams participating in the match;
 - (b) details of the alleged act(s) of Foul Play, including as accurately as possible, the point of time in the match, score at the time and position on the field when and where the incident is alleged to have occurred;
 - (c) the identity of (or means of identifying) the Player(s) alleged to have committed the act(s);
 - (d) sufficient evidence to establish a prima facie case, which should include a video recording of the relevant incident; and
 - (e) **All of the** evidence which the citing party intends to adduce in support of the citing.

Failure to provide a video recording (DVD/media file) at the same time as the written citing shall not invalidate the citing but the video recording (DVD/media file) must be lodged with the WRU Disciplinary Department in time for the Player who has been cited to have adequate time to consider and prepare for the Disciplinary Panel hearing.

5. A citing may be made whether or not the alleged act was seen by a Match Official. Where a Match Official did not detect the act of Foul Play cited, then it must be shown that had the Match Official seen the act, a red card should have been awarded.
6. However, where a Match Official, having detected the alleged act, decided that it was either not Foul Play, or that it was, but he/she took action other than ordering the Player off, the citing Club must prove, on the balance of probabilities, that the Match Official was wrong in not sending the Player off.

7. Where the Foul Play is not admitted by the Player, it is the responsibility of the Club that made the citing complaint to present the case before a Panel and prove on the balance of probabilities, that the offence took place as cited and that the offence passed the red card test.
8. A standard citing complaint form is available via the WRU website and must be completed and submitted within the prescribed timescale.
9. It shall be Misconduct under these Disciplinary Regulations to make a citing frivolously or in bad faith (such as in retaliation for a citing complaint made by another Club).
10. Upon receiving a citing complaint, the Disciplinary Officer may consult the Match Official (s) to ascertain whether they or any of them detected the act(s) which is the subject of citing complaint.
11. On receipt of a citing, the WRU Disciplinary Department will write to the Cited Player (through the Club) to advise them of the citing and provide that Club with a copy of the recording (DVD/media file) of the relevant incident and the evidence relied upon to support the Citing. The Player will also be requested to provide his/her response/directions as set out in **paragraph 22 below**.
12. Once the WRU Disciplinary Department has received a citing, it may only be withdrawn at the discretion of the Disciplinary Panel.
13. The WRU Disciplinary Department may, in its sole discretion, refer the citing complaint to the WRU Rugby Disciplinary Manager and/or Integrity Manager or such other person whom the WRU Disciplinary Department considers to be appropriately experienced for review (a citing gatekeeper), in order to establish whether the citing complaint received satisfies the evidential and/or the red card threshold, before any disciplinary proceedings are commenced.
14. If the WRU Disciplinary Department elects to refer such a citing complaint through the gatekeeper process, the Disciplinary Officer will provide all relevant materials to the citing gatekeeper, the citing gatekeeper will determine whether or not the evidence presents a case for the Player to answer (as to whether the Player committed an act or acts of Foul Play that warranted a red card) and accordingly whether or not the citing complaint should proceed, and will communicate his decision, in writing, to the Disciplinary Officer as soon as reasonably practicable.
15. If the Cited Player admits the offence, then it can often be dealt with without the need for a Hearing (i.e. based on the citing reports, the player's own comments and any other relevant material/papers or video).
16. If the Cited Player disputes the citing complaint, the Player, a representative of his Club, representatives of the Club that made the citing or the person citing the Player will be requested to attend a hearing of the Disciplinary Panel. If the representative of the Club that made the citing or the person citing the Player fails to attend the hearing, the citing will not be dismissed and the Disciplinary Panel may proceed to a decision in the matter.

17. Where the Foul Play is not admitted by the Player, it is the responsibility of the Player or Club that made the citing complaint to present the case before a Panel and prove on the balance of probabilities that the offence took place as cited and that the offence passed the red card test.
18. The function of the WRU Disciplinary Panel is to determine whether an act of Foul Play was committed by the Player. The citing complaint shall not be upheld unless the Disciplinary Panel is satisfied on the balance of probabilities that the Player concerned committed the act(s) of Foul Play that is the subject of the citing and the act(s) merited the award of a red card. If the citing is upheld, the Disciplinary Panel shall determine the sanction to be imposed on the Player in accordance with the list of sanctions set out in **Appendix 1**.
19. The Disciplinary Panel may take account of any action taken during the Match in respect of the foul play by the Referee and may review the Referee's decision and the circumstances surrounding it and may make a finding contrary to the Referee's decision. If the Disciplinary Panel determines that an act of Foul Play was committed but that it did not meet the red card test then the Disciplinary Panel may, following a decision taken to dismiss a citing, determine that an on-field yellow card be recorded on the Player's disciplinary record.
20. Match officials may be invited to attend the hearing when required but such attendance is not mandatory and no inference may be drawn if the match official does not attend. The hearing may proceed without such attendance.
21. Subject to the power of the Disciplinary Panel to regulate its own procedures, the following procedural steps shall ordinarily be followed:
 - (a) The video recording of the incident will be viewed without the sound or commentary associated with it being heard (save where the sound commentary includes the comments made by the referee through his microphone in relation to the specific incident in question) and in the presence of all those persons attending the hearing;
 - (b) the Player and Club representatives will then leave the hearing after answering any questions which the Disciplinary Panel may have;
 - (c) the Disciplinary Panel shall be entitled to call on experts to provide specialist advice, including legal advice;
 - (d) the Disciplinary Panel will make its decision in private; and
 - (e) the Player and the representatives of both Clubs will be invited to return to the hearing to be advised of the decision of the Disciplinary Panel.
22. Whether the offence is admitted or if the WRU Disciplinary Panel considers the alleged Foul Play of sufficient seriousness to have warranted an Ordering Off/Red Card, the WRU Disciplinary Panel shall proceed to hear submissions regarding sanction and shall apply the assessment and sanctioning regime as set out in WRU Disciplinary Regulations 10.11 to 10.19.

Player Directions - Citing Cases

23. Upon receipt of the citing complaint (and upon receiving an invitation to attend a hearing before the Disciplinary Panel, the Player named in the citing complaint must send to the chairman of the Disciplinary Panel (or his designee) and the Disciplinary Officer, by email and/or fax a written statement setting out the following matters:
- (a) whether he/she is the Player named in the citing complaint;
 - (b) whether he/she accepts that the citing complaint is a true and accurate account of the incident that resulted in the citing;
 - (c) whether he/she accepts that he committed an act or acts of Foul Play as set out in the citing complaint;
 - (d) whether he/she accepts that that/those act(s) warranted a red card;
 - (e) if he/she does not accept that the citing complaint did not warrant a red card and what evidence he/she will rely on to support his position.
 - (f) who will be attending the hearing.