

## **RFL ON FIELD COMPLIANCE PROCEDURES AND SENTENCING GUIDELINES**

### **1. INTRODUCTION AND UNDERLYING PRINCIPLES**

#### **1.1. Introduction and Transitional Arrangements**

These procedures and guidelines set out the process that will be followed and sanctions that should be imposed in relation to any On Field Misconduct. The Guidelines are intended to aid consistency and decision making when applying sanctions for breaches of the Laws of the Game and/or RFL Operational Rules and should be read in addition to the RFL Operational Rules.

In the event of a conflict between these guidelines and the RFL Operational Rules, the Operational Rules take precedence. The RFL also issues Off Field Sentencing Guidelines which set out guidelines for Off Field Misconduct. The Compliance Manager shall have the discretion to determine if a case is an Off Field case or an On Field case and which Sentencing Guidelines should apply.

Player is used throughout these Guidelines however for the avoidance of doubt, non-playing personnel can be charged under the On Field Sentencing Guidelines at the discretion of the Compliance Manager.

These guidelines represent a significant change from previous iterations of the Sentencing Guidelines with the introduction of Penalty Notices and the removal of Early Guilty Pleas.

#### **1.2. Underlying Principles**

- Rugby League is a hard, fast, contact sport played at professional level by athletic players.
- In a sport with high speed collisions there will always be injuries and players take part with this knowledge.
- The disciplinary system is not intended to sanitise the sport, however, there is no place in the game for players who jeopardise the safety of others by intentional, dangerous or malicious acts.
- The disciplinary system must support and protect Match Officials.

### **2. MATCH REVIEW PANEL**

#### **2.1. Introduction / Purpose**

The role of the Match Review Panel is to: (i) review Matches (in accordance with this Section 2. below); (ii) to grade any incidents which it considers to be On Field Misconduct Offences (in accordance with these Sentencing Guidelines); (iii) in the case of any incidents which it considers to be Grade A to C, determine whether there is any reason that it should not be dealt with by way of Penalty Notice (in accordance with Section 3 below); and (iv) instruct the Compliance Manager to send Charge Letters (in accordance with Section 2.8 below).

**2.2. Composition**

The Match Review Panel is comprised of up to 4 Match Reviewers who will be persons with appropriate expertise (such as former players, referees and coaches) as appointed from time to time by the RFL. An appropriate member of the Panel will be nominated to be the Panel chairperson.

The Compliance Manager will attend all Panel meetings and shall provide the administrative function of the Panel and shall represent the Panel at any Operational Rules Tribunal hearing.

**2.3. Process – general**

The RFL has the right to vary the processes set out below including, but not limited to, Matches which take place over a bank holiday weekend or in later Rounds of the Season. The RFL will notify Clubs of any such variations.

**2.4. Process – Regular Season**

In relation to each round of Super League Matches (or Challenge Cup Matches involving Super League teams and all Challenge Cup Matches from the Quarter Final onwards irrespective of whether they contain a Super League team), each Match is reviewed in full by a member of the Panel to identify incidents which should be considered by the Panel. These incidents are then ordinarily considered by the Panel on the Monday morning following that round of Matches and the Panel decide what action should be taken in relation to the relevant Player(s) irrespective of any on field action which may or may not have been taken.

In relation to each round of Championship Matches, League 1 Matches, Challenge Cup Matches not involving Super League teams (from Round 3 onwards), and Matches played in limited age and non-first grade competitions, the Panel ordinarily meet on the Thursday following the round of Matches in question and consider any incidents that have been reported by Match Officials or otherwise brought to the attention of the Panel, irrespective of any on field action which may or may not have been taken.

**2.5. Process – Play-Offs/1895 Cup (and preceding Round)**

In relation to each Match in the last round of each of the Championship Regular Season, the League 1 Regular Season, and the Regular Season for limited age and other non-first grade competitions, and the Play-Off phase for each of those competitions, the Panel ordinarily meet on the Monday morning following that round and the Panel decide what action should be taken in relation to the relevant Player(s) irrespective of any on field action which may or may not have been taken.

In relation to the 1895 Cup Final, the Matches from the League round involving the relevant finalists prior to the relevant Final will be reviewed on the Monday following the Matches played by the finalists to consider any incidents that have been reported by the Match Officials or otherwise brought to the attention of the Panel, irrespective of any action which may or may not have been taken.

**2.6. Citings**

If a Club wishes to bring any incidents of alleged On Field Misconduct to the attention of the Panel they must notify the Compliance Manager by:

- a) no later than 10.00am on the day the Panel will be considering the relevant Match;
- b) where the Panel are due to meet on a Thursday to consider incidents from the applicable Match, no later than 12.00 noon on the Wednesday following the day on which the incident took place.

Citings should include:

- a) a brief description of the incident;
- b) the players involved;
- c) the precise time of the incident; and
- d) where it is alleged that an injury has been caused, a medical report (for the avoidance of doubt the Panel shall not be restricted from taking action where it receives such reports outside of the citing deadline or does not receive a medical report).

**2.7. Options Available to the Panel**

The decision on whether a player should be charged with On Field Misconduct is made by the Panel. The Compliance Manager shall not have a vote and in the event of a tied vote, the Chair shall have the casting vote.

In relation to each Player considered, the Panel has the following options:

- Charge the Player with On Field Misconduct (an “**Offence**”), in which case the Panel will also determine:
  - the Grading of the Offence in accordance with the Sentencing Guidelines; and
  - whether there is any reason that a Penalty Notice should not be issued in accordance with Section 3 below.

For the avoidance of doubt, where a Player has been dismissed from the field of play, the Panel may deem the Offence as ‘Sending Off Sufficient’

- Caution the Player; or
- Decide there is no case to answer (in which case the Panel may still send the Player a warning/advice letter); or
- Refer the matter to the Compliance Manager for further investigation.

All relevant decisions of the Panel will be minuted and published on the RFL website.

## **2.8. Notice of Charge**

If a Player is charged with an Offence he/she will receive a Notice of Charge via his/her Club which will include:

- The Law(s) of the Game the Player is alleged to have breached;
- The detail of the alleged Offence;
- The Grade of the Offence;
- For Offences where the Panel has determined (in accordance with these Guidelines) that a Penalty Notice should be issued:
  - The sanction in accordance with these guidelines;
  - Details of how the Penalty Notice can be challenged;
  - In the event of a challenged Penalty Notice, the date of the hearing, the evidence the Compliance Manager would be relying upon and a summary of the Player's rights at that hearing.
- For Offences graded D-F (or where the Panel has determined that a Penalty Notice should not be issued):
  - The normal suspension range for that Offence;
  - The date of the hearing, the evidence the Compliance Manager will be relying upon and a summary of the Player's rights at that hearing.

## **2.9. Notice of Caution**

If a Player is cautioned he/she will receive a Notice of Caution letter via his/her Club, which will include:

- The Law(s) of the Game the Panel consider the Player has breached;
- The detail of the alleged Offence;
- The evidence the Panel has based its decision on;
- Details on how a Player may appeal the Panel's decision to an Operational Rules Tribunal (including the 7-day deadline for doing so). Such appeal shall be heard in accordance with the On Field Operational Rules Tribunal procedures. There shall be no further right of appeal.

## **3. PENALTY NOTICES**

### **3.1. Purpose / Introduction**

Following a consultation involving all stakeholders, Penalty Notices were introduced from the 2018 Season onwards. The rationale for the introduction of Penalty Notices was to ensure that less serious On Field Misconduct Offences are dealt with transparently, consistently and using a proportionate amount of the Game's scarce resources.

A Penalty Notice means that, save in exceptional circumstances (see Section 3.4 below), where a Player is charged with a Grade A to C Offence: (i) the sanction shall automatically be set within the range for the applicable Grade;

and (ii) the exact sanction will be determined by a Player's previous record in accordance with Section 3.2 below.

### 3.2. Penalty Notice Sanction

After the Panel have graded the offence in line with the Sentencing Guidelines, they will consider the previous disciplinary record of the Player in order to determine the Penalty Notice sanction.

#### 3.2.1. If a Player has:

- a) been Found Guilty of two or more On Field Misconduct Offences in the previous 24 months, including at least one offence in the previous 12 months prior to the date on which the Offence attracting the Penalty Notice was committed; or
- b) been Found Guilty of a Similar Offence at Grade C or above in the previous 24 months to the date on which the Offence attracting the Penalty Notice was committed;

the Player will be deemed to have a "Relevant Record" and will receive a Penalty Notice sanction which will be at the higher end of the Grade of the Offence with which the Player is charged.

**"Found Guilty"** means that a Player has been found guilty by an Operational Rules Tribunal, has not challenged a Penalty Notice, or a Caution, has accepted a finding of Sending Off Sufficient or has committed a relevant offence under the jurisdiction of any other sporting body which the RFL recognises under its Operational Rules.

A **"Similar Offence"** means an offence listed in the Similar Offences section of the table of Offences within these Sentencing Guidelines. The table is non-exhaustive and the Match Review Panel has the discretion to determine that a previous Offence is a Similar Offence even if it is not specified in the table. There shall be no right of review against the decision of the Match Review Panel with regard to Similar Offences.

Therefore, for a Grade A Offence the Penalty Notice will specify a one (1) Match suspension, for a Grade B Offence the Penalty Notice will specify a two (2) Match suspension; and for a Grade C Offence the Penalty Notice will specify a three (3) Match suspension.

#### 3.2.2. If a Player has not:

- a) been Found Guilty of two or more On Field Misconduct Offences in the previous 24 months, including at least one offence in the previous 12 months prior to the date on which the Offence attracting the Penalty Notice was committed; and

- b) has not been Found Guilty of a Similar Offence at Grade C or above in the previous 24 months to the date on which the Offence attracting the Penalty Notice was committed;

the Player will receive a Penalty Notice sanction which will be at the lower end of the Grade of the Offence with which the Player is charged.

Therefore, for a Grade A Offence the Penalty Notice will specify a zero (0) Match suspension, for a Grade B Offence the Penalty Notice will specify a one (1) Match suspension; and for a Grade C Offence the Penalty Notice will specify a two (2) Match suspension.

For the avoidance of doubt, if an incident has been deemed as Sending Off Sufficient, such incident shall be treated as the equivalent of a Grade A offence and will therefore be considered as a relevant Offence in line with the above provisions.

### **3.3. Multiple Offences**

In the event that a Player is charged with multiple Offences from the same Match, the Penalty Notice for the first Offence will be issued in line with section 3.2 of these guidelines. Any subsequent Penalty Notices for further Offences in the same Match will consider the first Offence as a relevant matter under 3.2.1(a) and the Penalty Notice(s) will be at the higher end of the Grade of the Offence with which the Player is charged.

The Player may challenge the Penalty Notices in relation to each Offence. In the event that the Player challenges the Penalty Notice in the first Offence and is found Not Guilty, then the Penalty Notice for the second Offence will be amended if necessary (subject to the previous disciplinary record of the Player and section 3.2 of these guidelines).

In the event that a Player is found guilty of multiple Offences, any suspensions should ordinarily be served consecutively.

In the event that a Player is charged with multiple identical Offences from the same Match, the Panel may at its discretion determine that it is not appropriate to issue multiple Penalty Notice sanctions for the same repeated offences in the same Match and may instead refer the charges to the Operational Rules Tribunal in accordance with 3.4 below.

### **3.4. Panel elect to refer matter to Operational Rules Tribunal**

The Panel may at its discretion, (including but not limited to any injury being caused to an opponent as a result of the Offence with which the Player is charged, if the Player has been found guilty of similar offences which were dealt with under the Off Field Misconduct procedures or if the Player has been charged with multiple identical Offences from the same Match) determine that it is not appropriate to issue a Penalty Notice for a Grade A to C Offence and instead refer the charge to the Operational Rules Tribunal. In such circumstances, the Operational Rules Tribunal shall proceed in accordance with the procedures set out in section 6 of these Guidelines and may take consideration of the Grade which the Panel have attributed to the Offence but shall not be bound to hand down a sanction within the normal parameters for such an Offence. For example, for a Grade C Offence a sanction of a suspension exceeding three matches may be issued by the Operational Rules Tribunal.

**3.5. Challenge**

Subject to the other provisions of this clause, a Player who has been issued with a Penalty Notice may challenge the Penalty Notice and/or the Grading by informing the RFL Professional Game Delivery Team of his/her intention to do so by the deadline specified in the Charge Letter. Any such appeal shall be heard in accordance with Section 5 below.

In the event that such intention is not lodged with the RFL by the specified deadline, the Penalty Notice will be deemed to have been accepted and the sanctions specified will be imposed.

**3.6 Sanction**

A Player who does not challenge the Penalty Notice will not be subject to any financial sanction but will forfeit the right to any hearing.

**4. OPERATIONAL RULES TRIBUNAL**

**4.1. Composition and Process**

Cases where a Player is either not eligible for or challenges a Penalty Notice will be heard by the On Field Operational Rules Tribunal.

Appointments for hearings at the Tribunal will be made from the Operational Rules Tribunal Panel.

At the Tribunal an independent chairperson and two independent side members will consider all the evidence put before them, subject to these Guidelines and the Operational Rules.

The Tribunal will normally meet each Tuesday via video conference but may at its discretion meet in person at an alternative time and place, should the RFL deem appropriate. The Tribunal will normally consider all matters that have been referred to it in the preceding week. Hearings which would otherwise fall on a Tuesday following a Bank Holiday Monday may instead be held on the next day (ie Wednesday). The Professional Game Delivery Team shall have the sole right in its absolute discretion to bring forward or put back a hearing to a day or time of its choosing.

The RFL may take a recording of the hearing which will only be retained for as long as is necessary.

There is a limit to the number of cases that the Tribunal can hear in one session. If there is more than this number of cases, some cases may instead be heard on the following evening, at the RFL's discretion.

**4.2. Burden and Standard of Proof**

The Compliance Manager shall have the burden of establishing that On Field Misconduct has occurred. The standard of proof shall be whether the Compliance Manager has established that On Field Misconduct has occurred to the reasonable satisfaction of the Tribunal, with due regard given to the seriousness of the allegation which is being made. This standard of proof in all cases is greater than a mere balance of probability but less than proof beyond a reasonable doubt.

**4.3. Use of Comparable Evidence**

The RFL shall have responsibility for maintaining a library of clips (the "Library") of incidents from Matches which have taken place and resulted in charges during the current and two previous Seasons. This Library shall be made available to all Clubs via an online system.

If a Player appears at an Operational Rules Tribunal in relation to any grade of Offence that Player and the Compliance Manager may each submit audio-visual evidence of up to 1 (one) similar incident from the Library to be considered by the Operational Rules Tribunal for comparative purposes in terms of grading or guilt.

Any Library clips relied upon by the Player or Compliance Manager for such purposes must be of incidents of Similar Offences and are used for comparative purposes only and are not considered binding.

Both the Compliance Manager and the Player's representative must disclose the clip that they wish to use from the Library to each other before 3pm on the day of the Operational Rules Tribunal. Neither party may change the clip to be used or present additional clips to use except in exceptional circumstances to be determined by the chairperson of the Operational Rules Tribunal.

**4.4. Submission of Evidence**

Players are entitled to submit evidence including witness statements, written evidence, and further footage (in a format in which they wish to present), including photographs, of the incident for which they have been charged. Such evidence must be submitted to the Professional Game Delivery Team by 3pm on the day of the hearing. Recordings, including video footage and photographs, of other incidents shall not be permitted.

**4.5. Alternative Charges**

For the avoidance of doubt, the Tribunal can amend the Offence a Player has been charged with, both in terms of grading and description.

**4.6. Referral to Compliance Manager**

If the Tribunal does not consider that it can reach a decision on the evidence before it, it may refer the incident to the Compliance Manager for further investigation.

**5. CHALLENGES TO PENALTY NOTICES**

**5.1. Challenging a Penalty Notice – Submitting a Challenge**

A Player may challenge the imposition of a Penalty Notice by informing the Professional Game Delivery Team by the time and date specified in the Charge Letter, in which case the matter shall be determined by the Operational Rules Tribunal. A refundable deposit, of (i) £500 in the case of Super League Players; (ii) £250 in the case of all other professional male Players; and (iii) £100 in the case of Scholarship Players, must be lodged when submitting a challenge to a Penalty Notice. In the event that the challenge is successful, the deposit shall be returned. In the event that the



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challenge is unsuccessful, either as regards grading or guilt, the Tribunal shall impose the fine as set out at Section 7.4 below.

Players can challenge a Penalty Notice on the following grounds only:

- a) Guilt; or
- b) Improper Grading of the Offence by the Panel.

The Player must confirm in writing at the time of notifying the RFL that he/she wishes to challenge the Penalty Notice and what the grounds for the challenge are. For the avoidance of doubt, the Player can only submit a challenge based on one of the above grounds.

### **5.2. Order of Proceedings**

The chairperson will determine the order of proceedings, however usually:

- The chairperson will read the charge;
- The Player or their representative will explain the grounds for challenging the Penalty Notice;
- The footage of the incident will be played;
- The Compliance Manager will present the case for the Panel including presenting any Library clip if he/she so wishes;
- The Player or their representative will present the Player's case including presenting any Library clip if he/she so wishes;
- The Compliance Manager will be given the opportunity to respond to the Player's submissions including presenting any Library clip if he/she so wishes;
- The Player or their representative will be given the opportunity to respond to the Compliance Manager's response, including presenting any Library clip if he/she so wishes, and will be given the final word;
- The Compliance Manager and the Player and any representatives will retire while the Tribunal deliberate;
- If the Player denies the Offence the Tribunal will consider whether an Offence was committed; If the Player challenged the Grade of the Offence the Tribunal will consider the appropriate Grade for the Offence;
- The Compliance Manager and the Player and any representatives will reconvene in front of the Tribunal at which point the chairperson will advise all parties of the Tribunal's decision;
- In the event of a Not Guilty finding the hearing will conclude;
- In the event of a Guilty finding the chairperson will outline the likely sanction with reference to the Penalty Notice and these Guidelines, in particular section 5.3. The Player's previous disciplinary record will also be read out; The Player or their representative will be given the opportunity to address the Tribunal regarding sanction and whether or not the challenge was unreasonable and/or frivolous
- The Compliance Manager will be given the opportunity to respond to the Player's submissions;

- The Player or their representative will be given the opportunity to respond to the Compliance Manager's response and will be given the final word;
- The Compliance Manager and the Player and any representatives will retire while the Tribunal deliberate;
- The Compliance Manager and the Player and any representatives will reconvene in front of the Tribunal at which point the chairperson will advise all parties of the Tribunal's decision and any rights of appeal;
- The hearing concludes.

### **5.3. Consequences of Challenges**

If the Player is unsuccessful on their ground of challenge the Tribunal shall impose the sanction outlined in the Penalty Notice, shall impose a fine as set out in 7.4 and shall increase the suspension by an additional match if it considers that the ground(s) for the challenge was unreasonable and/or frivolous. As an example, a Penalty Notice which specifies a one (1) Match suspension may be increased to a two (2) Match suspension if the Tribunal considers that the ground(s) for the challenge was unreasonable and/or frivolous.

In the event that the Player is challenging multiple Penalty Notices, the Tribunal shall consider the issue of unreasonableness for each offence on its merits. The Tribunal shall have discretion to consider the concept of totality when deciding to issue additional Matches in the event of multiple unsuccessful Penalty Notice challenges.

In the event that a Player is successful in challenging the Grading of an Offence, the Player will receive the suspension he/she would have received had the confirmed Grading been issued in the Penalty Notice. For example, if the Player was originally charged with a Grade B Offence and their previous record meant that the Penalty Notice specified a two (2) Match suspension (pursuant to 3.2.1) and he/she is successful in their challenge with the Tribunal finding that it is a Grade A Offence, the Player will receive a one (1) Match suspension. In the event of a successful challenge to a Penalty Notice no fine shall be imposed.

### **5.4. Adjudications**

The Tribunal's adjudications will:

- Be published in full;
- Give clear and full reasons for the decision;
- Summarise the cases of the Compliance Manager and Player respectively;

Confirm the sanction (if any) handed down including detailing the imposition of the one match suspension increment in the event that a Player has unsuccessfully challenged a Penalty Notice which was deemed to be unreasonable and/or frivolous.

**5.5. Right of Appeal**

Both the Compliance Manager and the Player have a right of appeal subject to section D2 of the Operational Rules.

Appeals must be lodged within 7 days of the hearing or, if the case needs to be heard the following day, by 11 am on the day after the hearing.

The only grounds for appeal are that the Operational Rules Tribunal:

- came to a decision to which no reasonable body could have come; or
- made an error of law in reaching its decision; or
- failed to act fairly in a procedural sense; or
- the sanction imposed was so excessive or lenient (in the case of the Compliance Manager) as to be unreasonable.

Appeal hearings will be conducted by way of review and will not be 'de novo' hearings.

When submitting an appeal, a Player must submit a deposit of (i) £500 in the case of Super League Players; (ii) £250 in the case of all other professional male Players and (iii) £100 in the case of Scholarship Players and must specify the grounds for the appeal. In the event that the appeal is successful, the deposit shall be returned.

**5.6. Appeal Hearing – Order of Proceedings**

The chairperson will determine the order of proceedings, however usually:

- The chairperson will read the charge;
- The Appellant or his/her representative will confirm the grounds for appeal and will make relevant submissions
- The Respondent or his/her representative will be given the opportunity to respond to the Appellant's submissions;
- The Appellant or his/her representative will be given the opportunity to respond to the Respondent's response and will be given the final word;
- The Appellant and Respondent and any representatives will retire while the Tribunal deliberate;
- The chairperson will inform the parties if the appeal has been successful or unsuccessful and will, if necessary, confirm the sanction which has been imposed.
- The hearing concludes.

## 6. CASES REFERRED DIRECTLY TO OPERATIONAL RULES TRIBUNAL

The provisions in this Section 6 apply to cases where the Panel has graded the incident as Grade D to F or have otherwise determined that the matter should be referred directly to an Operational Rules Tribunal and not, for the avoidance of doubt, where the Panel has issued a Penalty Notice.

### 6.1. Order of Proceedings

The chairperson will determine the order of proceedings, however usually:

- The chairperson will read the charge;
- The Player or their representative will:
  - admit the Offence (and the Grading of the Offence);
  - admit the Offence and challenge the Grading of the Offence;
  - deny the Offence.
- The footage of the incident will be played;
- The Compliance Manager will present the case for the Panel including presenting any Library clip if he/she so wishes;
- The Player or their representative will present the Player's case including presenting any Library clip if he/she so wishes;
- The Compliance Manager will be given the opportunity to respond to the Player's submissions;
- The Player or his/her representative will be given the opportunity to respond to the Compliance Manager's response and will be given the final word;
- The Compliance Manager and the Player and any representatives will retire while the Operational Rules Tribunal deliberate;
- If the Player denies the Offence the Tribunal will consider whether an Offence was committed;
- If the Player challenges the Grade of the Offence the Operational Rules Tribunal will consider the appropriate Grade for the Offence;
- The Compliance Manager and the Player and any representatives will reconvene in front of the Operational Rules Tribunal at which point the chairperson will advise all parties of the Operational Rules Tribunal's decision;
- In the event of a Not Guilty finding the hearing will conclude;
- In the event of a Guilty finding the Operational Rules Tribunal will ask for the Player's previous disciplinary record to be read out.
- The Player or their representative will be given the opportunity to address the Operational Rules Tribunal regarding sanction;
- The Compliance Manager will be given the opportunity to respond to the Player's submissions;
- The Player or their representative will be given the opportunity to respond to the Compliance Manager's response and will be given the final word;
- The Compliance Manager and the Player and any representatives will retire while the Operational Rules Tribunal deliberate and

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determine the appropriate sanction with reference to these guidelines and any aggravating or mitigating factors which may be relevant;

- The Compliance Manager and the Player and any representatives will reconvene in front of the Operational Rules Tribunal at which point the Chairperson will advise all parties of the Operational Rules Tribunal's decision and any rights of appeal;
- The hearing concludes.

### 6.2. Normal Suspension Ranges – Guidelines Only

Players and Clubs should be aware that the normal suspension ranges are guidelines only and the Operational Rules Tribunal has the discretion to step outside of the normal ranges in the following three circumstances:

- If the Compliance Manager seeks a higher sanction in the light of specified aggravating factors, and the Operational Rules Tribunal agree that such factors mean a higher sanction should be imposed;
- If the Operational Rules Tribunal has previously advised the Player that it will apply a higher sanction next time that Player is found to have committed a misconduct Offence; or
- If the Operational Rules Tribunal feels that in the light of the aggravating and mitigating factors present it is appropriate to step outside of the normal suspension range (irrespective of whether this has been requested by the Compliance Manager) subject to section 5.3 of these guidelines and the imposition of any automatic one match suspension increment as a result of a Player challenging the imposition of a Penalty Notice.

### 6.3. Aggravating and Mitigating Factors

In determining the appropriate sanction, the Operational Rules Tribunal will take into account all relevant aggravating and mitigating factors (see below for a non-exhaustive list). For the avoidance of doubt the Operational Rules Tribunal shall apply appropriate weighting to any aggravating and mitigating factors when considering the relevant sanction, however it shall not be the case that each aggravating or mitigating factor invoked equates to a one match enhancement or reduction.

#### 6.3.1. Aggravating Factors

**Previous Record**  
**Violence**  
**Retaliation**  
**Injury caused**  
**Incident not part of play**  
**Other aggravating factors**

##### 6.3.1.1. Previous Disciplinary Record

- Player has record of the same or a similar Offence in the past - should result in a higher penalty than would otherwise be the case.
- Player has a disciplinary record for dissimilar Offences – not necessarily taken into account unless the Player's record is such that it shows a

general disregard for the safety and welfare of other Players.

- Players who regularly commit acts of foul play – should receive ever increasing suspensions which may lead to a period suspension ie a Player with a serious record may receive a substantially longer suspension than a Player with no record for an Offence of the same nature.

**6.3.1.2. Violence**

- No place for acts of intentional violence or thuggery.
- Includes head butting, vicious attacks with fists, intentional high tackles, attacks on a prone opponent, an assault on an opponent from behind, gouging.
- Unprovoked violent assaults punished severely and period suspensions considered.

**6.3.1.3. Retaliation**

- When retaliation is calculated and/or intentional it is an aggravating factor.

**6.3.1.4. Injury caused**

- If the Misconduct has caused injury to an opponent, this may result in a higher penalty than if no injury had occurred.
- For the avoidance of doubt, if an incident has caused a Player to receive a concussive injury, the Operational Rules Tribunal should consider it as an aggravating factor.
- The Operational Rules Tribunal may consider the length of time an injured opponent is likely to be out of the game when passing sentence.

**6.3.1.5. Incident not part of play**

- Where an incident is not part of play i.e. off the ball or in back play then this may be an aggravating factor.

**6.3.1.6. Other aggravating factors**

- The Panel shall be entitled to take into account other aggravating factors as they reasonably think appropriate in the circumstances of an individual case.

**6.3.2. Mitigating Factors**

**Previous Good Record**  
**Provocation**  
**Technique or Fitness in some cases**  
**Genuine Remorse**  
**Other Mitigating Factors**

NB: the fact that no injury was caused is not usually a mitigating factor.

Mitigating factors are not ordinarily sufficient to go below the minimum of the range of suspensions of the charge the Player is found guilty of, other than in truly exceptional circumstances.

**6.3.2.1. Previous Good Disciplinary Record**

- Where a Player has a good previous record this may be treated as a mitigating factor.
- The Player must have been playing the game at professional level for long enough to have established a good record e.g. at least three years.
- Where a Player has a previous record but has not committed a Similar Offence for a period of at least five years their previous record may be discounted.

**6.3.2.2. Provocation**

- An immediate reaction to foul play by an opponent may be a mitigating factor as it may be seen as self-defence.
- Due consideration must be given to the distinction between self-defence, provocation and retaliation.

**6.3.2.3. Technique or Fitness (*in some cases*)**

- Rarely a valid defence at first team level.
- A Player who does not have the appropriate technique or fitness levels may be a danger to other Players.
- At academy level, some consideration may be given to these factors when accompanied by genuine remorse and intention to resolve the problem.

**6.3.2.4. Genuine Remorse**

- Genuine remorse for the Offence and formal apologies to the opponent may be mitigating pleas.

**6.3.2.5. Dismissal**

- The Tribunal, when sanctioning a Player, may consider whether that Player was dismissed from the field and the time of dismissal.

**6.3.2.6. Other Mitigating factors**

- The Panel shall be entitled to take into account other mitigating factors as they reasonably think appropriate in the circumstances of an individual case.

- Credit will not be given for a guilty plea at appeal stage if the charge was contested at first instance.

#### **6.4. Adjudications**

The Tribunal's adjudications will:

- Be published in full;
- Include all aggravating and/or mitigating factors taken into consideration;
- Give clear and full reasons for the decision;
- Summarise the cases of the Compliance Manager and Player respectively;
- Confirm the sanction (if any) handed down including all aggravating and/or mitigating factors taken into consideration;
- Explain any deviation from the On Field Sentencing Guidelines;
- Give clear and full reasons for the decision.

#### **6.5. Right of Appeal**

Both the Compliance Manager and the Player have a right of appeal subject to section D2 of the Operational Rules.

Appeals must be lodged within 7 days of the hearing or, if the case needs to be heard the following day, by 11am on the day after the hearing.

The only grounds for appeal are that the Operational Rules Tribunal:

- came to a decision to which no reasonable body could have come; or
- made an error of law in reaching its decision; or
- failed to act fairly in a procedural sense; or
- the sanction imposed was so excessive or lenient (in the case of the Compliance Manager) as to be unreasonable.

Appeal hearings will be conducted by way of review and will not be 'de novo' hearings.

When submitting an appeal, a Player must submit a refundable deposit of (i) £500 in the case of Super League Players; (ii) £250 in the case of all other professional male Players (iii) £100 in the case of all Scholarship Players and must specify the grounds for the appeal. In the event that the appeal is successful, the deposit shall be returned.

Appeals are to be conducted in accordance with the procedure specified in section 5.6.



## 7. LAWS OF THE GAME

### The Laws of the Game on On Field Misconduct offences are:

- 15.1(a) Trips, kicks or strikes another player
- 15.1(b) When tackling or attempting to tackle makes contact with the head or neck of an opponent
- 15.1(c) Drops knees first on an opponent on the ground
- 15.1(d) Uses a dangerous throw
- 15.1(e) Intentionally and continuously breaks the Laws of the Game
- 15.1(f) Uses offensive or obscene language
- 15.1(g) Disputes a decision of the Referee or Touch Judges
- 15.1(h) Re-enters the field of play without the permission of the referee or touch judge
- 15.1(i) Behaves in any way contrary to the true spirit of the game
- 15.1(j) Intentional obstruction of an opponent not in possession

Breaches of the Operational Rules which take place on field are not included in these Sentencing Guidelines.

### 7.1. Grading and Description of Offences

All Offences are graded in six grades A – F where Grade A is the lowest level of Offence and Grade F the most serious. The usual range of grades for each Offence is specified below however both the Match Review Panel and On Field Operational Rules Tribunal may deem that an incident should be graded outside of the range specified.

The commonest Offences are listed in the sentencing guidelines with a description to assist all those concerned in referring to incidents in a standardised manner. It is accepted that there will be incidents not covered by the guideline descriptions and each sub section of the laws includes Other Offences which can be graded from A to F. Furthermore, it is accepted that some offences may be able to be categorised into more than one guideline description.

### 7.2. Table of Offences

Law No	Charge	Grade	Guideline Description	Similar Offences	
15.1(a)	Trips, kicks or strikes another player				
		Trips	A-B	Reactionary or reckless tripping	Any tripping or kicking
			B-D	Intentional tripping	Any tripping or kicking
	Kicks		C-D	Kicking opponent – makes light contact to Head of opponent	Any 15.1(a) offence
			B-C	Kicking – makes light contact with opponent (but not the Head of the opponent)	Any 15.1(a) offence
			D-F	Kicking opponent – makes full contact with Head of opponent	Referred to Tribunal regardless of record
		C-D	Kicking opponent – makes full contact with opponent (but not the	Any 15.1(a) offence	

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			Head of the opponent)in aggressive violent manner	
		A-D	Intentionally stands on	Any 15.1(a) offence
		D-E	Trampling	Referred to Tribunal regardless of record
		E-F	Stamping	Referred to Tribunal regardless of record
	Strikes	A-D	Strikes with hand, arm or shoulder – reckless	Any strikes with hand/arm/shoulder/elbow/forearm or punching or any high tackle or Shoulder Charge
		D-E	Strikes with hand, arm or shoulder – intentional	Any strikes with hand/arm/shoulder/elbow/forearm or punching or any high tackle or Shoulder Charge
		B-C	Strikes with elbow/forearm – dropping on player	Any strikes with hand/arm/shoulder/elbow/forearm or punching or any high tackle or Shoulder Charge
		B-C	Strikes with elbow/forearm – ball carrier – reckless	Any strikes with hand/arm/shoulder/elbow/forearm or punching or any high tackle or Shoulder Charge
		C-F	Strikes with elbow/forearm – ball carrier – intentional	Any strikes with hand/arm/shoulder/elbow/forearm or punching or any high tackle or Shoulder Charge
		C-E	Strikes with elbow/forearm – tackling – reckless	Any strikes with hand/arm/shoulder/elbow/forearm or punching or any high tackle or Shoulder Charge
		D-F	Strikes with elbow/forearm – tackling – intentional	Referred to Tribunal regardless of record
		C-E	Strikes with elbow/forearm – off ball – reckless	Any strikes with hand/arm/shoulder/elbow/forearm or punching or any high tackle or Shoulder Charge
		E-F	Strikes with elbow/forearm – off ball – intentional	Referred to Tribunal regardless of record
	Strikes - knee	A-D	Raising knee in tackle	Any strikes with knee or kicking offence
		A-C	Strikes with knee – light contact	Any strikes with knee or kicking offence
		D-E	Strikes with knee – makes full contact	Referred to Tribunal regardless of record
		D-F	Strikes with knee – makes full contact in aggressive violent manner	Referred to Tribunal regardless of record
	Strikes - head butting	C-D	Head butting – makes light contact to Head of opponent	Any striking or kicking offence
		B-C	Head butting – makes light contact with	Any striking or kicking offence

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			opponent (but not Head of opponent)	
		D-F	Head butting – makes full contact with Head of opponent	Referred to Tribunal regardless of record
		C-D	Head butting – makes full contact with opponent (but not Head of opponent)	Any striking or kicking offence
	Strikes – punching	D-E	Reaction to opponent – lashing out – makes contact with Head of opponent	Any striking or kicking offence
		C-D	Reaction to opponent – lashing out – makes contact with opponent (but not Head of the opponent)	Any striking or kicking offence
		B-C	Punching – self-defence - makes contact with Head of opponent	Any striking or kicking offence
		A-B	Punching – self-defence - makes contact with opponent (but not the Head of the opponent)	Any striking or kicking offence
		D-F	Punching – one on one – makes contact with the Head of an opponent	Any striking or kicking offence
		C-E	Punching – one on one - makes contact with an opponent (but not the Head of the Opponent)	Any striking or kicking offence
		E-F	Punching – sustained and, repeated or violent - makes contact with the Head of an opponent	Any striking or kicking offence
		D-E	Punching – sustained and repeated, violent and aggressive - makes contact with opponent (but not the Head of the opponent)	Referred to Tribunal regardless of record
		F	Running in and punching- makes contact with the Head of an opponent	Referred to Tribunal regardless of record.
		E-F	Running in and punching – makes contact with opponent (but not the Head of the opponent) opponent off guard	Referred to Tribunal regardless of record
	Other Striking offences	A-F		
<b>15.1(b)</b>	<b>When tackling or attempting to tackle makes contact with the head or neck of an opponent</b>			

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	Careless	A-B	Careless – flat hand off balance	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
		A-B	Careless – ball carrier dips	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
		A-B	Careless – stepped and reaching	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
		A-B	Careless – initial contact with ball or chest	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
		A-B	Careless – second tackler in – wrapping tackle up	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
	Reckless	B-C	Reckless – tackler in control	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
		B-C	Reckless – tried to tackle but reckless about outcome	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
	Intentional	D-F	Intentional – clenched fist – intent to make contact with head	Referred to Tribunal regardless of record
		D-F	Intentional – stiff arm tackle – no attempt to tackle legitimately – violent	Referred to Tribunal regardless of record
	Other Tackling offences	A-F		Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
<b>15.1(c)</b>	<b>Drops knees first on an opponent on the ground</b>			
	Drops knees first	A-F		Any strikes with knee offence
<b>15.1(d)</b>	<b>Uses a dangerous throw</b>			
	Dangerous Throw	B-C	Other tackler's actions were part of the problem (only applies where Player is not aware of other tackler's actions)	Any Dangerous Throw offence
		B-C	Ball carrier's actions were part of problem	Any Dangerous Throw offence
		B-D	Lifting player into dangerous position	Any Dangerous Throw offence
		D-E	Throwing player into ground	Referred to Tribunal regardless of record
	Spear tackle	E-F	Driving player into ground on head or neck	Referred to Tribunal regardless of record
	Other Dangerous Throw	A-F		Any Dangerous Throw offence
<b>15.1(e)</b>	<b>Intentionally and/or continuously breaks the Laws of the Game</b>			
		A-F		

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<b>15.1(f)</b>	<b>Uses offensive or obscene language</b>			
		A-C	Foul and/or abusive language	Any offence involving foul and/or abusive language or disputing a decision of a Match Official or other offence involving Match Officials
		B-D	Foul and/or abusive language towards a Match Official	Any offence involving foul and/or abusive language towards a Match Official or disputing a decision of a Match Official or other offence involving Match Officials
		B-F	Questioning the integrity of a Match Official	Any offence involving foul and/or abusive language towards a Match Official or disputing a decision of a Match Official or other offence involving Match Officials
		E-F	Verbal abuse based on race, colour, religion, gender, sexual preference, disability, national or ethnic origin or any other form of Unacceptable Behaviour or Language	Referred to Tribunal regardless of record
	Other offensive or obscene language	A-F		

<b>15.1(g)</b>	<b>Disputes a decision of the Referee or Touch Judges</b>			
		A-B	Disputes decision	Any offence involving foul and/or abusive language towards a Match Official or disputing a decision of a Match Official or other offence involving Match Officials
		C-F	Disputes using aggressive language or body language	Any offence involving foul and/or abusive language towards a Match Official or disputing a decision of a Match Official or other offence involving Match Officials
		C-F	Disputes using aggressive language and body language	Any offence involving foul and/or abusive language towards a Match Official or disputing a decision of a Match Official or other offence involving Match Officials
		A-F	Other disputes decision	Any offence involving foul and/or abusive language towards a Match Official or disputing a decision of a Match Official or other offence involving Match Officials
<b>15.1(h)</b>	<b>Re-enters the field of play without the permission of the referee or touch judge</b>			
		B-C		Any previous 15.1(h) offence

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<b>15.1(i)</b>	<b>Behaves in any way contrary to the true spirit of the game (includes Dangerous Contact)</b>			
		E-F	Gouging	Referred to Tribunal regardless of record
		E-F	Biting	Referred to Tribunal regardless of record
		E-F	Spitting	Referred to Tribunal regardless of record
		F	Testicles – attacking	Referred to Tribunal regardless of record
		D-F	Raking with studs	Referred to Tribunal regardless of record
		F	Threatening words or actions towards match officials	Referred to Tribunal regardless of record
		A-E	Deliberate or reckless physical contact with a match official (e.g. placing hand on arm to attract attention)	Any offence involving foul and/or abusive language towards a Match Official or disputing a decision of a Match Official or other offence involving Match Officials
		F	Physical assault of a match official (e.g. pushing / shoving)	Referred to Tribunal regardless of record
		F (Top end)	Violent and aggressive physical assault of match officials (e.g. punching)	Referred to Tribunal regardless of record
		A-F	Other contrary behaviour	To be determined based on a case by case basis
		A-D	Defending player, in or after effecting a tackle, uses any part of their body forcefully to bend or apply unnecessary pressure to the head and/or neck and/or spinal column of the tackled player so as to keep the tackled player at a disadvantage in or after the tackle.	Any Dangerous Contact offence
		A-D	Defending player, in or after effecting a tackle, forcefully and unnecessarily grasps (or jerks, or pins or twists) the head or neck of the tackled player.	Any Dangerous Contact offence
		A-D	A defending player, in effecting a tackle, makes dangerous contact (either direct or indirect), or uses a technique which is likely to make dangerous contact (either direct or indirect), with the supporting leg or legs of an attacking player who is being held in the tackle by a defender(s), and who is deemed to be in a vulnerable position, in a way that involves an unacceptable risk of injury to that player,	Any Dangerous Contact offence

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		A-D	Defender uses any part of their body forcefully to twist, bend or otherwise apply pressure to the limb or limbs of an opposing player in a way that involves an unacceptable risk of injury to that player.	Any Dangerous Contact offence
		A-D	Defender attempting to charge down a kick from an attacking player makes contact with the leg or legs of an attacking player who has kicked the ball, in a way that involves an unacceptable risk of injury to that player.	Any Dangerous Contact offence
		A-D	A defending player makes contact with an opponent after the ball has been released by an opponent in a vulnerable position which causes flexion to the head, neck or spinal column on an attacking player, which poses an unacceptable risk of injury to that player.	Any Dangerous Contact offence
	Save where otherwise prescribed in the Laws of the Game attempted foul play will be dealt with under 15.1(i).			
<b>15.1(j)</b>	<b>Intentional obstruction of an opponent not in possession</b>			
		A-F		
<b>15.1(k)</b>	<b>Shoulder Charge</b>			
		B-D	Indirect or secondary contact with the head of an attacking player.	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
		C-E	Direct initial contact with the head of an attacking player.	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge
		A-C	Other dangerous Shoulder Charge	Any high tackle or strikes with hand/arm/shoulder/elbow/forearm or Shoulder Charge

**7.3. Sentencing Guidelines for Each Grade of Offence**

<b>GRADE</b>	<b>NORMAL SUSPENSION RANGE</b>
A	0 -1
B	1-2
C	2-3
D	3-5
E	4-8
F	8+ or period suspension

**7.4. Fines**

The Tribunal shall continue to impose fines on players found guilty at hearings except in the case of a successful Penalty Notice challenge. Fines are not and will not be issued instead of suspensions and will not be used in an exemplary manner. The fine structure is set out below:

<b>LEVEL</b>	<b>Fine</b>
Scholarship	£0
Championship Reserve/Academy	£25
Super League Reserve/Academy	£50
League 1	£75
Championship	£250
Super League	£500

In the event that Player is found guilty of multiple Offences, a fine should ordinarily be imposed for each Offence.

In the case of players found guilty of a Grade F offence, the fine imposed will be double the amount listed in the structure above.

**7.5. Education**

In addition to any other sanction imposed by the Tribunal, where a Player is found guilty of Rule 15.1 (f) and such breach includes Unacceptable Behaviour and Language then the Tribunal must impose mandatory education on the Player provided that such offence is the Players first in such circumstances. For the avoidance of doubt such sanction of education shall not be issued instead of a fine and suspension but in addition to such other sanctions.

**8. DEFINITIONS**

**8.1. Zero Tolerance**

- Defined in the Operational Rules as the RFL policy of not tolerating any “Unacceptable Behaviour or Language” of any type and imposing severe penalties with no exceptions.
- Policy to be applied to player found guilty of “Unacceptable Behaviour or Language” on the field of play.
- Severe penalties to be applied.

**8.2. Definitions of Intentionally (Deliberately), Recklessness and Carelessness**

**8.2.1. Intentionally (Deliberately)**

A person acts intentionally with respect to a result (for example contact with the head or neck when tackling or attempting to tackle) when: (i) it is their purpose to cause it; or (ii) although it is not his/her purpose to cause that result, he/she is aware (or should be aware) that it would occur or almost certainly occur in the ordinary course of events if he/she were to succeed in their purpose of causing some other result (for example stopping a player).



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A person who intends to harm a person and harms another person instead shall be deemed to have intended to harm the other person.

An intention need not necessarily be planned before or during a match; an intention may be formed on the spur of the moment, just before (or even during) the contact or other event (for example during a tackle).

### **8.2.2. Recklessness**

- (a) something is caused recklessly if the person causing the result (for example contact with the head or neck when tackling or attempting to tackle) is, or ought to be, aware of an obvious risk that acting or failing to act in a particular manner will bring about that result but nonetheless acts or fails to act in that manner where a reasonable person would not do so;
- (b) a person acts recklessly with respect to a circumstance or as to a possible result of an act, if the person is, or ought to be, aware of an obvious risk that the circumstances exist, or that the result will follow, but nonetheless acts where a reasonable person would not do so.
- (c) a person acts recklessly if the person is, or ought to be, aware of an obvious risk of dangers or of possible harmful results (for example contact with the head or neck when tackling or attempting to tackle) in so acting but nonetheless acts where a reasonable person would not do so.

In showing that a person has acted recklessly the Compliance Manager need not show that the person intended or wished for a particular result to occur.

A person may become aware or ought to have been aware of an obvious risk just before (or even during) the contact or other event (for example during a tackle).

### **8.2.3. Carelessness**

A person acts carelessly if their conduct falls below the standard expected of the ordinary reasonable player. The test is objective, based on the hypothetical player, and involves the person either doing something the reasonable player would not do, or not doing something which the reasonable player would do. It does not matter that the person was unaware that the result of their act/omission might happen, if the reasonable player would have realised the risk and taken steps to avoid it.

In showing that a person has acted carelessly, the Compliance Manager need not show that the person intended or acted recklessly in relation to the result.