

# Three Strike Policy

# FAQs

This FAQ document aims to aid Clubs' understanding of the Three Strike Policy (the Policy), including its purpose, application, and what the Policy means for Clubs and its participants.

## What is the Three Strike Policy?

The Policy is designed to deter and eliminate poor and abusive behaviour exhibited during any community Rugby activity by making Clubs accountable for their participants' behaviour by imposing incremental Strikes and penalties on Clubs.

The Policy places responsibility on Clubs to implement sufficient practices to protect and ensure the well-being and safety of all match officials, participants, and spectators, and to appropriately manage the behaviour of its members and supporters.

## Why has Rugby Australia introduced the Policy?

Rugby Australia has introduced the Policy following unanimous feedback from Clubs, Member Unions and competitions nationally in response to increasing instances of poor and abusive behaviour directed towards match officials, players, coaches, volunteers, and spectators, both on and off-field.

Poor and abusive behaviour reduces enjoyment for all and is harmful and hurtful to those to whom it is directed. The Policy is designed to help eradicate poor and abusive behaviour from our sport and ensure that Rugby remains an inclusive and enjoyable sport for everyone.

## What is a Strike?

A Strike is a sanction imposed on a Club. Strikes are cumulative (up to a maximum of three) and remain valid on a Club's record for 12 months from the date it is issued.

## What behaviours could result in a Strike?

A Strike may be imposed where there has been poor or abusive behaviour by a Club's participant that is of the kind that is prohibited under:

1. Rugby AU's **Code of Conduct, Member Protection Policy, Child and Young Person Safeguarding Policy, Social Media Policy** or other integrity policy; or
2. the following **Laws of the Game:**
  - a. Law 9.12 – A player must not physically or verbally abuse anyone;
  - b. Law 9.27 – A player must not do anything that is against the spirit of good sportsmanship;
  - c. Law 9.28 – A player must respect the authority of the referee,

and that behaviour has been directed towards a match official, player, coach, spectator, volunteer or other participant in community Rugby.

Any instance of verbal or physical abuse, or repeated instances of poor behaviour, including but not limited to using abusive, threatening, or intimidating language or behaviour with the intention to harm may result in a Strike and an additional penalty.

### **What additional penalties might be imposed on Clubs when receiving a Strike?**

In addition to a Strike being issued, Clubs may face additional penalties based on the seriousness of the circumstances.

For a Strike 1, the specific team (or teams) involved in the incident may be issued a point deduction penalty.

For a Strike 2, Clubs may be penalised through a monetary fine and/or having every competitive team (that plays for points) at its Club within the relevant Junior/Senior Rugby Pathway in which the specific team (or teams) involved in, or relating to, the incident competes, receive a deduction in competition points.

For a Strike 3, a Club's affiliation may be terminated. If it is not terminated, it may be required to pay a monetary fine and/or the specific team (or teams) involved in, or related to, the incident may be removed from competition, and/or every competitive team (that plays for points) at the offending Club within the relevant Junior/Senior Rugby Pathway in which the specific team (or teams) involved in, or related to, the incident competes, may receive an automatic forfeit for the next competition round.

### **What is the process for issuing a Strike?**

The decision to apply the Policy is at the discretion of each Member Union or Affiliated Union (or their delegate).

The Policy sets out the process for determining whether a Strike should be issued. That process ensures that Clubs will have a fair opportunity to respond to the concerns around the poor or abusive behaviour and demonstrate why a Strike (and a penalty as the case may be) should not be imposed.

A Club will be issued with a Show Cause Notice outlining the details of the allegation and given 14 days to "Show Cause" and respond.

For a Strike 1, the response to the Show Cause Notice is the Club's only opportunity to address the allegations and demonstrate how it will address the behaviour. At the conclusion of the 14-day period, the Member Union or Affiliated Union (or delegate), will decide whether to issue a Strike, taking into consideration all aspects of the matter, including, the Club's response to the Show Cause Notice.

If the Club is facing a Strike 2 or Strike 3, a hearing may also be held before a specially formed Committee. A decision to impose a Strike 2 or Strike 3 is made by the Committee.

## **What should Clubs include in the response to a Show Cause Notice?**

Responding to a Show Cause Notice is an opportunity for Clubs to consider and take ownership of the behaviour and their Club culture and put measures in place to ensure improvements.

When responding to a Show Cause Notice, Clubs should provide as much explanation and evidence as possible as to why they believe a Strike should not be issued.

Clubs should explain all measures that have been implemented or are planned to be implemented, to address the specific circumstances of the conduct and provide a clear explanation as to how the Club and those measures will mitigate the behaviour being repeated in the future. If the specific type of behaviour has been an issue for the Club in the past, the Club should demonstrate how it is escalating its efforts to stamp it out. Evidence as to any steps already taken by the Club should be provided.

Where a penalty may also be imposed, such as a fine or deduction of points, Clubs should provide information relevant to the appropriateness of those penalties. For instance, if a fine is a possibility, information around the Club's ability to pay a fine would be relevant.

Clubs are encouraged to provide all information they believe to be relevant to the matter. Whilst Clubs may be tempted to dispute the specific conduct, the response should focus on what the Club is doing to ensure the conduct does not occur.

## **Can clubs appeal Strikes?**

Once issued, a Club cannot appeal a Strike 1. Clubs can apply for a review of a Strike 2 or Strike 3, but only where the specific grounds of appeal have been met and the appeal has been lodged within 14 days.

## **How can Clubs avoid Strikes?**

The best way for Clubs to avoid being issued a Strike is to be proactive in ensuring everyone, including spectators, is aware of this Policy and that their Club will be held accountable for their behaviour.

Clubs should encourage people to call out, and actively challenge poor and abusive behaviour and make it known that such conduct is not tolerated at their Club.

## What steps can clubs take to improve behaviour?

Clubs are encouraged to empower people to actively call out, challenge and report poor or abusive behaviour they witness at their Club. By promoting the [Speak Up page](#) and the [Rugby Core Values](#), clubs are demonstrating that they are actively seeking a safe and inclusive environment by supporting people who want to address these concerns, creating a more inclusive environment.

Clubs can also:

- Publish and promote the Code of Conduct, as well as the "Speak Up Reporting Posters".
- Send out communications promoting the Club's ethos and Rugby's Core Values, clearly outlining what behaviour is expected of members and supporters and what behaviour is not tolerated.
- Ensure that all its members and attendees are aware of the Policy.
- Share this FAQ document with its members and attendees.
- Emphasise the importance of a safe and inclusive environment.
- Be proactive in challenging poor and abusive behaviour, as well as celebrating the value of good sportsmanship, respect and positive language.

*This document is to be used as a guide only. To the extent that it conflicts, or is inconsistent, with any Australian law or Rugby Australia policy, including Rugby Australia's Three Strike Policy, that law or policy takes precedence.*