

TRIBUNAL PROCEDURE

The following procedure is to be used in all hearings of the Tribunal:

- Tribunal members (as per Roster) shall be notified of a hearing by the League's General Manager no later than Tuesday midday.
- All three parties refers to the player's Advocate, the umpire's Advocate and the Tribunal.
- Priority of hearing cases is to be in order of the furthest Club to the closest i.e. Smithton to Latrobe or East Devonport to Tribunal venue.
- Cases involving mutual offences e.g. striking each other are to be heard together/in conjunction.
- Any Tribunal conference involving an Advocate shall involve all parties.

PROCEDURE:

INTRODUCTION

- Tribunal Chairperson to introduce the Panel to those appearing before it.
- All parties shall be advised that the proceedings are to be taped, if that is to occur.

CHARGE

- The charge is to be read to the player in the presence of his Advocate, the umpire making the charge and his Advocate.
- Details of the charge shall describe the offence and the appropriate rule number relating to the offence as well as the gradings of the charge.
- The player's Advocate shall be given the opportunity to make any submissions regarding the details of the charge.
- If it believes the report to be invalid the Tribunal shall rule on such submission.
- The player shall be asked to plead to the charge – either ***GUILTY*** or ***NOT GUILTY***.
- Following this, if any footage is available to be screened for the incident it will be shown to all parties.

INCIDENT**NOT GUILTY plea****Umpire's evidence**

- The umpire shall state the facts relating to the reported incident.
- Tribunal members may ask questions of the umpire to clarify points.
- The umpire's Advocate shall be given the opportunity to draw further facts or explanations from the umpire.
- The reported player's Advocate shall be given the opportunity to ask questions of the Umpire only. (At this stage the reported player's Advocate CANNOT make statements or submissions.)
- Any witnesses for the umpire may be called to give evidence. Witnesses may be questioned by all parties present.

Reported Player's evidence

- A reported player shall give evidence before any witnesses for him are required to give evidence. The reported player's evidence is given with the umpires and Advocate present, but without the player's witness in the room.

GUILTY plea

- The player may make a statement either himself or through his Advocate.
- A player may plead guilty to attempt to lower the impact or grading of a charge and must explain why the guilty plea.

Umpire's evidence

- The umpire shall state the facts relating to the reported incident.
- Tribunal members may ask questions of the umpire to clarify points.
- The umpire's Advocate shall be given the opportunity to draw further facts or explanations from the umpire.
- The reported player's Advocate shall be given the opportunity to ask questions only of the Umpire. (At this stage the reported player's Advocate CANNOT make statements or submissions.)
- Any witnesses for the umpire may be called to give evidence. Witnesses may be questioned by all parties present.

Reported Player's evidence

- A reported player shall give evidence before any witnesses for him are required to give evidence. The reported player's evidence is given with the umpires and Advocate present, but without the player's witness in the room.

Witnesses

- A witness must have been acting in an official capacity at the venue and during the day of the game in question.
- A witness from a reported player's Club must be represented by the reported player's Advocate.
- A witness for the reporting umpire must be represented by the umpire's Advocate.
- A witness from any other Club need not be represented but may be if he so desires, or if summoned according to Rules & Regulation 68.5.
- No witness may leave the Hearing premises until released by the Tribunal.

Summation

- At the conclusion of giving evidence the umpire's Advocate shall be given the opportunity to sum up the charge and evidence.
- The player's Advocate shall be given the same opportunity.
- If the player has pleaded GUILTY the player's Advocate shall then be given the opportunity to make a plea in mitigation.

Tribunal determination

- The player's past record, both good and bad, shall be available to the Tribunal for consideration prior to a penalty being set. If a Classifiable Offence is contested or referred to the Tribunal, a Person with a verifiable exemplary Disciplinary History may argue that their Disciplinary History constitutes exceptional and compelling circumstances.
- Any player found guilty by a Classifiable Offence shall be penalised as per the table on the following page.

NOT GUILTY plea

- All parties, with the exception of the Tribunal, shall leave the room while a decision is made and a penalty, if necessary, established.
- The reported player and reporting umpire and their Advocates return to the room to hear the decisions.
- If the player is found **GUILTY** his Advocate may make a plea in mitigation prior to the penalty being established.

GUILTY plea or found GUILTY

- All parties, with the exception of the Tribunal, shall leave the room while a decision on the penalty is made.
- The reported player and reporting umpire and their Advocates return to the room to hear the penalty.

Classifiable Offences

Which Reportable Offences are Classifiable Offences?

Table 1 – Classifiable Offences
Charging – 22.2.2 (a) (iv)
Unreasonable or Unnecessary Contact to the Eye Region – 22.2.2 (a) (viii)
Forceful Front-On Contact – 22.2.2 (a) (vi)
Headbutt or Contact Using Head – 22.2.2 (a) (vii)
Kicking – 22.2.2 (a) (ii)
Kneeing – 22.2.2 (a) (iii)
Rough Conduct – 22.2.2 (a) (v)
Striking – 22.2.2 (a) (i)
Tripping – 22.2.2 (a) (xi)
Unreasonable or Unnecessary Contact to the Face – 22.2.2 (a) (ix)

* The sanction for Classifiable Offences shown in Table 2 may be increased where a Person has a bad Disciplinary History. The NWFL has the power to directly refer a person to the tribunal because of the person’s bad disciplinary history.

Grading Classifiable Offences

Table 2 – Classification Table				
Conduct	Impact	Contact	Base Sanction	Early Guilty Plea
Intentional	Severe	High/Groin/Chest	5+ Matches (Tribunal)	N/A
		Body	4+ Matches (Tribunal)	N/A
	High	High/Groin/Chest	4 Matches	3 Matches
		Body	3 Matches	2 Matches
	Medium	High/Groin/Chest	3 Matches	2 Matches
		Body	2 Matches	1 Match
	Low	High/Groin/Chest	2 Matches	1 Match
		Body	1 Match	Fine and/or Reprimand
Careless	Severe	High/Groin/Chest	4+ Matches (Tribunal)	N/A
		Body	3+ Matches (Tribunal)	N/A
	High	High/Groin/Chest	3 Matches	2 Matches
		Body	2 Matches	1 Match
	Medium	High/Groin/Chest	2 Matches	1 Match
		Body	1 Match	Fine and/or Reprimand
	Low	High/Groin/Chest	1 Match	Fine and/or Reprimand
		Body	1 Match	Fine and/or Reprimand

Direct Tribunal Offences

Table 3 – Direct Tribunal Offences
Attempting to Strike an Umpire – 22.2.2 (e)
Behaving in an Abusive, Insulting, Threatening or Obscene Manner Towards or in Relation to an Umpire – 22.2.2 (g)
Eye Gouging – 22.2.2 (b)
Intentional Contact with an Umpire – 22.2.2 (i)
Spitting on Another Person – 22.2.2 (l)
Spitting on or at an Umpire – 22.2.2 (f)
Stomping – 22.2.2 (c)
Striking an Umpire – 22.2.2 (d)
Serious Misconduct - 22.2.2 (cc)

The Tribunal will determine the appropriate sanction for a Direct Tribunal Offence in its absolute discretion.

Low-level Offences

Table 4 – Low-level Offences
Attempt to Strike / Kick / Trip – 22.2.2 (m), 22.2.2 (n), 22.2.2 (o)
Careless Contact with an Umpire – 22.2.2 (j)
Disputing Decision – 22.2.2 (k)
Instigator of a Melee / Wrestle – 22.2.2 (r)
Interfering with a Player Kicking for Goal – 22.2.2 (y)
Unreasonable or Unnecessary Contact with an Injured Player – 22.2.2 (p)
Unreasonable or Unnecessary Contact with an Umpire – 22.2.2 (i)
Not Leaving the Playing Surface – 22.2.2 (aa)
Obscene Gesture – 22.2.2 (w)
Pinching – 22.2.2 (t)
Prohibited Boots, Jewellery or Equipment – 22.2.2 (bb)
Scratching – 22.2.2 (a) (x)
Shaking, Climbing or Interfering with Goal or Behind Post – 22.2.2 (z)
Spitting at Another Player – 22.2.2
Staging – 22.2.2 (u)
Striking – 22.2.2 (a) (i)
Kicking – 22.2.2 (a) (ii)
Time Wasting – 22.2.2 (x)
Tripping – 22.2.2 (a) (xi)
Using Abusive, Insulting or Obscene Language Towards or in relation to an Umpire – 22.2.2 (h)*
Using Abusive, Insulting or Obscene Language – 22.2.2 (v)*
Engaging in a Melee / Wrestle – 22.2.2 (q)
Any Other Act of Low-Level Misconduct which is not a Classifiable Offence or Direct Tribunal Offence – 22.2.2 (cc)

- * With regard to 22.2.2 (h) Umpire Abuse it will be a low-level offence unless the NWFL determines that (in conjunction with the umpire involved)
- the Low-level Offence sanction is inappropriate; and
 - the conduct does not constitute the Direct Tribunal Offence of Behaving in an Abusive, Insulting, Threatening or Obscene Manner Towards or in Relation to an Umpire,

In which case the NWFL may impose a sanction of either a 2 Match, 3 Match or 4 Match suspension, with the relevant Person entitled to receive a reduction in the sanction equivalent to the reduction applicable in Table 2 with an Early Guilty Plea (i.e. a 2 Match suspension reduced to a 1 Match suspension with an Early Guilty Plea).

- * With regard to 22.2.2 (v) using Abusive, Insulting or Obscene Language it will be a Low-level Offence unless the NWFL determines that:
- the Low-level Offence sanction is inappropriate; and
 - the conduct does not constitute the Direct Tribunal Offence of Serious Misconduct

In which case the NWFL may impose a sanction of either a 2 Match or 3 Match suspension, with the relevant Person entitled to receive a reduction in the sanction equivalent to the reduction applicable in Table 2 with an Early Guilty Plea (i.e. a 2 Match suspension reduced to a 1 Match suspension with an Early Guilty Plea).

Table 5 – Low-level Offences Base Sanctions			
1 st & 2 nd Low-level Offence		3 rd & Subsequent Low-level Offence (within 12 months)	
Base Sanction	Early Guilty Plea	Base Sanction	Early Guilty Plea
1 Match	Reprimand	2 Matches	1 Match

The NWFL has the power to refer a Low-level Offence directly to the tribunal on the basis that it is a low-level offence which attracts a base sanction that the NWFL finds inappropriate.

Full information on reportable offences can be found in [Appendix 1 – Reportable Offences in the AFL National Community Football Policy Handbook](#).