



June 2022

AFL Central Victoria
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2022 TRIBUNAL PROCESS

Appearing before an independent tribunal:

There are five (5) ways in which a player can appear before the independent tribunal:

1. The reported player requests the case to be heard by a tribunal.
2. The offended player (or his club) requests the case to be heard by a tribunal.
3. The umpire or an authorised investigation officer or a match review panel requests the case to be heard by the tribunal.
4. The league requires the player to appear before the tribunal. This will happen if the player has already been suspended or reprimanded in the current or preceding season.
5. The offence is one in which a set penalty cannot apply and a tribunal must be held.

Scheduling of a tribunal hearing:

- All tribunal hearings will be scheduled on the **Wednesday** following the match in which the report was made.
- The only exception to this will be when there are too many reports to hear on the one night. In this case, some of the hearings will be scheduled on the Tuesday following the match in question.

Attendance at a tribunal hearing:

- The reported player, along with his advocate, **MUST** attend the tribunal in person (this may be an online **video** link). If the player does not attend, then he will be suspended until he appears before the independent tribunal. (AFL Victoria Country Regulation 7.7.3). The reported player will **not** be permitted to give evidence by telephone.
- The offended against player **MUST** attend the hearing (this may be in person, an online video link or in special circumstances the tribunal panel may accept evidence from the player by telephone).
- The offended against player's club is permitted to have an advocate or a support person for their player.
- A player under the age of 18 must also be accompanied by a parent or guardian.

Appearing Via Video Link

- If a player or umpire cannot appear in person, the players club/Bendigo Umpires Association (BUA) must provide on a letterhead the reasons why attending in person is not possible (at least 24 hours before the hearing).
- Only extenuating circumstances (e.g. working away, isolation requirements) will be accepted for reasons to appear via video link.
- Please note, it is incumbent for all parties to appear face to face in person. A requirement for registering as a player and umpire, is to be available for tribunal hearings when called upon. For example, a player living in Melbourne that travels for each match, will be required

to attend the tribunal if called upon, unless extenuating circumstances doesn't make that possible.

- Based on the reasons for request, the tribunal chair and tribunal conveyor have discretion to not approve the written request provided by the players club/BUA.

Reports during the finals series:

- If a player is reported during a final then, if a hearing is required, this should be held at least by the Wednesday following the match in which the report was made. However, if the reported player's club is no longer involved in the finals series then, at the League's discretion, the hearing may be held, at the latest, on the second Wednesday following the match in question.

Acknowledging a report:

- It is the responsibility of a club to determine if a report has been made during a game. This should be done by having a designated club official attend the umpires' room shortly after the conclusion of every match.
- Note that there are twelve (12) offences in which a player **may** be sent off and **may** be reported. These are listed in AFL Victoria Country regulation 10 ©. All other offences resulting in a player being sent off **shall** be reported.
- Even if a player is not sent off during the game, there may still be a report. If an umpire lays a charge during the fourth quarter they may not have time to notify the player that they are reported (especially in the case of a boundary or field umpire laying the report). Hence, once again, a club official must check at the end of each game for the all clear.
- A senior player **cannot** be sent from the ground to "cool off". A junior player can only be sent from the ground to "cool off" but **not** for a reportable offence.
- If a report has been made, a club official **MUST** acknowledge the report by signing the report form in the appropriate place. (Last section for the reported player's club; second last section for the offended against player's club). Failure to do so may result in a fine being imposed on the club. The players are not required to sign the form unless they want to.
- When acknowledging the report, the club official can indicate if they wish the case to be heard by the tribunal or, in the case of the reported player only, if the player wishes to apply for the set penalty (if available). If available, both the reported player and the offended against player have until 12.00 noon on the first working day following the match in question to change their request to either a set penalty or request the case to be heard by a tribunal. This request must be in writing and failure to make such a written request by the due time will result in the initial paperwork being enacted.

Notification of a tribunal hearing:

- All clubs will be contacted by email in relation to any reports and subsequent tribunal hearings. It is the responsibility of each club to monitor their emails so that they know if and when a tribunal hearing will take place.

Players' advocates:

- All players and witnesses (including the reporting official) should be represented by an advocate.
- No person is permitted to be represented by an advocate who is a barrister or solicitor or who is qualified to practise as a barrister or solicitor.

Documented evidence:

The tribunal panel **may** accept documented evidence, such as photos, medical evidence, etc. provided that they can be satisfied that such evidence is valid. This may require a Stat Dec from the photographer, a medical report on letter head, etc.

Video Evidence:

The tribunal panel should admit video evidence if it is available. However, a copy of the vision should be provided to the League at least 24 hours prior to the hearing.

If the vision is from a League sanctioned production/video company, then a copy can be readily made available to all parties. If it is from a private company or a club specific individual, then the league is unable to provide the vision prior to the hearing to the other parties unless approval is given by the owner of the vision. However, it will be made available to all parties before the commencement of proceedings.

- The Bendigo FNL, the Heathcote and District FNL and the Loddon Valley FNL all have a by-law which allows the umpire or a match review panel to lay a charge based on a review of any vision recorded by the League sanctioned production company.
- The North Central Football League only allows umpires to lay a report at the match. Clubs may wish to submit a MRP Request by 5pm Monday (or first business day) after their match.

AFL Victoria Country Regulations:

AFL Victoria Country Regulation 7.0 details the processes and procedures in relation to disciplinary matters and appeals.

Investigation requests:

The regulations governing investigations are outlined in the AFL Victoria Country annual handbook, specifically regulation 5.0 *unbecoming conduct*.

A club requesting an investigation must include a bond deposit of \$500 with a letter outlining the incident that they wish to have investigated. This is done in accordance with AFL Victoria Country regulation 5.0.

All investigations incur a cost which is the fee charged by the investigation officer for his time and travel to determine the outcome of the case. Therefore, the cost needs to be covered by either one or both clubs involved in the investigation .

If the investigation officer finds that there is no case to answer, or if the independent tribunal finds the person not guilty, then the cost of the investigation shall be borne by the club requesting the investigation.

If there is a case to answer and that person is found guilty at a subsequent tribunal hearing or accepts the set penalty offered, then the cost of the investigation shall be borne by the club to which the guilty person is affiliated.

If both clubs are found to be at fault, then the costs shall be shared between the two.