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2023 TRIBUNAL PROCESS

Please refer to the [National Community Football Policy Handbook](#) – Appendix 1 on Page 91

Appearing before an independent tribunal means:

- The MRO has referred a report direct to the Tribunal for determination without grading as the offence is one of the reportable offences in Table 4 on page 98 of the National Community Football Policy Handbook.
- A Club and/or player is contesting the Notice of Charge and it's grading at the Tribunal.

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.

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 & Witnesses:

- All players and witnesses (including the reporting official) should be represented by an advocate.
- Witnesses cannot be spectators.
- If a reported players club requests a witness who is a representative from the opposing team or is an umpire (from the match of the report), the reported players club must seek written approval from that representative's club/association. This approval must be submitted to the tribunal conveyer 24 hours before the hearing.
- 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.
- The League Advocate represents the reporting umpire and the league and can also represent the offended against player, if requested by the player/club.

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.