

**AUSTRALIAN FOOTBALL PLAYER & OFFICIAL NATIONAL
DEREGISTRATION POLICY**



October 2017



1 INTRODUCTION

1.1 Background

This Deregistration policy (“**Policy**”) has been developed to provide a risk management framework and policy basis for community football administrators to recognise a duty of care with respect to Players and Officials who could pose an unacceptable risk to other Players and Officials.

It is imperative that all Leagues and State Bodies adopt this Policy to ensure that a consistent approach is applied to the Deregistration of Players and Officials.

1.2 Definitions

AFL Competition (or **AFL Competitions**) means one or both of the elite national men’s or women’s competitions (as the context dictates).

Club means an Australian football club fielding a team within a Competition conducted by a Football Body.

Competition means an Australian football competition (including AFL 9s and Masters competitions) conducted or administered by a Football Body, League or Football Body affiliate (e.g. Region Commission).

Deregistration means the withdrawal of a Player’s permit to play or an Official’s capacity to officiate in any Competition.

Football Body means a football body conducting a Competition, including the State Bodies, Leagues, and other unaffiliated football bodies, as the context dictates.

League means an Australian football league or a Football Body who conducts or administers a Competition.

Official means without limitation coach, assistant coach, officer, trainer, water carrier, team manager, interchange steward, umpire, umpire escort, time keeper, scoreboard attendant, runner, employee or any other match official or person performing any duties (paid or unpaid) for or on behalf of a Club, League or Football Body at any Australian Football match.

Player means a player who participates in any Australian football match of a Competition.

Reportable Offence means any reportable offence identified in the Laws of Australian Football, as amended from time to time.

State Body means the governing State and Territory Australian football bodies affiliated to the AFL as follows:

- (a) AFL (NSW/ACT) Commission Limited (ACN 086 839 385);
- (b) AFL QLD Limited (ABN 66 090 629 342);
- (c) AFL Northern Territory Limited (ACN 134 092 854);
- (d) Football Tasmania Limited (ACN 085 213 350);
- (e) Australian Football League (Victoria) (ACN 147 664 579);
- (f) South Australian National Football League Inc (ABN 59 518 757 737); and
- (g) West Australian Football Commission Inc (51 167 923 136).

Suspension means a period during which a Player or Official is not allowed to play or officiate in a match of Australian football.

And other capitalised terms used in this Policy have the meaning given to them in the National Player Transfer Regulations.

1.3 Application

- (a) This Policy applies to all Football Bodies and their affiliated Leagues and Clubs and all Players and Officials.

- (b) Headings and indexes are only included for ease of reference and do not affect interpretation.

1.4 Variation

The AFL may from time to time, and in consultation with State Bodies where necessary, alter the procedures for Deregistration in its absolute discretion.

2. POLICY AIMS

The Policy aims to:

- (a) deregister a Player who is found guilty of a Reportable Offence(s) where such offence or offences cause the Suspension history of such Player to fall beyond an acceptable level for Australian football;
- (b) deregister an Official who is found guilty of a Reportable Offence(s) where such offence or offences are deemed to fall beyond an acceptable level for Australian football;
- (c) apply the Deregistration of a Player/Official to both roles so that a deregistered Player cannot officiate in any capacity and a deregistered Official cannot participate as a Player in any Competition;
- (d) prevent a Player from transferring between Leagues with the view to creating a “clean slate” with the new League. The Suspension history shall follow the Player to allow the new League to make an informed judgement regarding registration taking into account past and current Suspensions.

3. DEREGISTRATION PROCEDURES

3.1 General

- (a) The full Suspension history of a Player is to be forwarded to the new League from the previous League upon a Player being cleared from one League to another (as per the National Player Transfer Regulations, as amended from time to time). For the avoidance of doubt, **all Suspensions** determined by a League or State Body (tribunal, investigation, appeal or similar process) shall be forwarded to the new League for their records together with the clearance / transfer details.
- (b) The full Suspension history of a Player (including tribunal record at all previous League/s) shall be considered when determining penalties for Reportable Offences in the assessment of a Suspension. However, in determining a Suspension, the appointed tribunal body or nominated decision maker should not have regard to the effect of the Suspension on Deregistration. In other words, each Reportable Offence should be determined on its merits.
- (c) A League that suspects that an Official may have a Suspension history is to seek information from the Official's previous League/s.
- (d) Club imposed penalties will not be considered on the permanent record for a Player or Official.
- (e) Information regarding suspended sentences will be transferred between Leagues and Leagues will only consider such sentences relevant to calculating the combined Suspension for Deregistration if and when the Suspension from such suspended sentence is served.
- (f) For the avoidance of doubt and unless otherwise agreed by the relevant State Body:
 - i) if a Player is deregistered pursuant to this Policy, that Player will also be prohibited from acting as an Official in relation to a Competition; and
 - ii) if an Official is deregistered pursuant to this Policy, that Official will also be prohibited from participating as a Player in any Competition.

3.2 Deregistration Process

3.2.1 Notification

(a) Leagues

- i) Leagues must advise all Clubs of the details of the Policy and make the Policy readily available to their Clubs, Players and Officials.
- ii) Subject to 3.2.1(a)(iii), once a Player/Official has accumulated a Suspension history of ten (10) matches or more, the League must advise the Player/Official and their Club in writing that the Player/Official faces the risk of Deregistration should the Player/Official incur further Suspension(s) that results in him/her reaching or exceeding the sixteen (16) match total Suspension history (**Suspension Notice**).
- iii) Subject to 3.2.2(d), a Player/Official will be automatically Deregistered in accordance with section 3.2.2 if Player/Official has served sixteen (16) matches (or more) total Suspension. In circumstances where before commencing the current Suspension the Player/Official had not already accumulated ten (10) matches (or more) Suspension history, Player/Official does not need to receive a Suspension Notice under section 3.2.1(a) (ii).
- iv) Notification of Deregistration shall be made in writing to the Player/Official and their Club.
- v) State Bodies shall be notified in writing of all decisions to deregister a Player/Official, by the Player's/Official's Club or League. A central database of all deregistered Players/Officials will be kept by all State Bodies.
- vi) Should a Player/Official's Suspension history already have reached or exceeded a combined total of sixteen (16) matches Suspension at the time of implementing this Policy, the League is to formally advise the Player/Official and the Player's/Official's club that the Player/Official faces Deregistration should the Player/Official incur another Suspension.

(b) Clubs

- i) Clubs must advise all of their Players/Officials in relation to this Policy.
- ii) Clubs must at all times strive to ensure their Players and Officials do not get themselves into a position of potentially being deregistered. Anger management training is seen as a critical component of this prevention for Clubs to arrange and implement.
- iii) Clubs must use all best endeavours to inform their Player/Official of any notification provided by the League pursuant to section 3.2.1(a) and must promptly confirm and acknowledge to the League the steps taken by the Club to ensure that the Player/Official has received the notification.

(c) Commencement of Deregistration

- i) For the avoidance of doubt, Deregistration will commence on the date on which the most recent Suspension of the Player/Official (being the Suspension which resulted in that Player/Official reaching or exceeding the total of sixteen (16) weeks Suspension) ends.

3.2.2 Criteria for Deregistration

(a) Players

- i) Players shall be automatically deregistered and not allowed further registration with the same or another Club or League (except in accordance with section 3.3) if the Player has **served a combined total of sixteen (16) matches Suspension (or greater)** as a Player

or Official (including as a Player during the Player's AFL Competition career, subject to section 3.2.2(c) below) as a result of Reportable Offences only. For the avoidance of doubt, a Player who is deregistered will also not be allowed to act as an Official in the same or another League or in any Competition.

- ii) For the avoidance of doubt:
 - a. the sixteen (16) matches served Suspension relates to Suspensions imposed as a result of Reportable Offences under the Laws of Australian Football;
 - b. match ineligibility or sanctions received by a Player in relation to breaches of the AFL Anti- Doping Code (as amended from time to time) are not to be counted in determining accumulated Suspensions under this Policy; and
 - c. only Suspension periods served by a Player after attaining the age of 16 years will count for the purposes of this Policy.

(b) Officials

Officials shall be deregistered and not allowed to officiate or play in any form in the same or another League or Competition if they have served a combined total of sixteen (16) matches Suspension (or greater) as a Player or Official throughout their whole Australian football career (i.e. not limited to age of the Official at the time of a Suspension).

(c) AFL Competition Career

Any Suspension period served by a Player during their AFL Competition career shall carry over to non-AFL Competitions. However any such Suspension period shall be reduced by 25% for the purposes of this Policy. For example, if a Player receives a total of four (4) matches Suspension whilst playing in the AFL Competition, only three (3) matches shall carry over for the purposes of this Policy. For the avoidance of doubt the 25% discount does not apply where an AFL Competition Player receives a Suspension for an incident while playing outside of the AFL Competition.

(d) First Offence

Should a Player or Official receive sixteen (16) matches or more Suspension as a "first offence" it shall be at the State Body's discretion (in consultation with the relevant League) as to whether or not that Player/Official will be deregistered following his/her Suspension.

3.3 Application for Re-registration

- (a) Subject to 3.3(e), a Player/Official who has been deregistered in accordance with section 3.2 may (subject to section 3.3(f)) apply for re-registration not less than 12 calendar months after the date on which their Deregistration commenced (such date being determined in accordance with section 3.2.1(c)).
- (b) Subject to sections 3.3 (a) and 3.3 (f), a deregistered Player/Official can apply for re-registration by making a written application to the relevant State Body in accordance with section 3.3(c) (**Re-Registration Hearing**).
- (c) Subject to the following requirements, the State Body to which the League where the de-registered Player/Official is applying for re-registration is affiliated will hear the Re-Registration Hearing in accordance with the State Body's rules, regulations, by-laws and/or guidelines regulating tribunal and appeals procedures:
 - i) A Re-Registration Hearing will be heard at a time and place to be determined by the State Body;
 - ii) A panel comprising three (3) independent panel members (including one chairperson) will preside over the Re-Registration Hearing;

- iii) The Player/Official, former and proposed Club(s), relevant League(s) and State Body(s) have the right to make submissions to the Re-Registration Hearing panel;
 - iv) The Re-Registration Hearing panel must not approve a Player's re-registration unless the panel is reasonably satisfied that:
 1. the Player or Official is genuinely rehabilitated or committed to ongoing rehabilitation; and
 2. the Player or Official is unlikely to re-offend; and
 3. the Player or Official does not pose an unacceptable risk to other Players/Officials; and
 4. any other exceptional circumstances as determined by the panel in its absolute discretion.
 - v) The Re-Registration Hearing panel cannot allow conditional re-registration (for example re-registration as a particular kind of Official);
- (d) The Re-Registration Hearing panel may regulate the proceedings before it as it deems fit and, to the extent permitted by law, the decision of the panel shall be final and binding on all parties.
- (e) A Player or Official may only submit one (1) Re-Registration Hearing application to the applicable State Body in accordance with section 3.3(c) in any one Australian football year.
- (f) If an applicable State Body considers that exceptional circumstances exist which may reasonably justify them to hear an application for re-registration of a particular Player or Official before the end of the 12-month deregistration period the applicable State Body may waive a portion of the 12-month deregistration period and conduct a Re-Registration Hearing for that particular Player or Official prior to the end of the 12-month deregistration period subject to obtaining the approval of the AFL General Counsel (such approval to be provided in that person's absolute discretion and not subject to appeal).
- (g) For the avoidance of doubt:
- i) the Re-Registration Hearing under this section 3.3 is an application for re-registration only and is not a review or appeal of previous suspensions. Any disputes relating to a Player/Official's previous suspensions must be dealt with in accordance with the rules, regulations, by-laws and/or guidelines regulating tribunal and appeals procedures of the State Body where the suspensions were imposed;
 - ii) because deregistration occurs automatically (as set out in section 3.2.2), there is no review or appeal process for deregistration under this policy. The appropriate appeal avenue for a Player/Official who has been automatically deregistered is as set out in section 3.3(f)(i);
 - iii) a deregistered Player or Official cannot participate in a Competition as a Player or as an Official unless he/she is re-registered following a successful Re-Registration Hearing in accordance with this section 3.3;
 - iv) if a Player or Official is re-registered in accordance with this section 3.3, and subsequently receives a Suspension as a result of a Reportable Offence, that Player or Official will be permanently deregistered and forever prohibited from participating in any Competition as a Player or Official with no further right of appeal or right to apply for re-registration; and
 - v) If a Player/Official is de-registered in accordance with this Policy then the Player/Official is de-registered from all AFL- or Football Body-sanctioned Competitions.