

2024 TRIBUNAL RESOURCE



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TRIBUNAL OVERVIEW

AFL Queensland (**AFLQ**) has a centralised, independent Tribunal that deals with any 'Notice of Charge' or 'Notice of Breach' referred to it under the 'National Community Football Policy Handbook'.

A Notice of Charge will be referred to the Tribunal, if:

- A player or official is charged with a 'classifiable offence' (see Appendix 1), 'low-level offence' (see Appendix 2) or 'auditory offence' (see Appendix 3) and the club elects to challenge the charge; or
- A player or official is charged with a 'direct Tribunal offence' (see Appendix 4).

The above offences are all considered 'Reportable offences' (see Appendix 5).

A Notice of Breach is issued if someone associated with AFLQ has breached one of our policies. Policy breaches will not be addressed in this resource. If you have any questions regarding policy breaches, you are encouraged to contact AFLQ's Compliance Lead.

TRIBUNAL ATTENDEES

A standard Tribunal hearing will involve the following parties:

- The reported person
- The reported person's advocate
- The reporting umpire (where applicable)
- The aggrieved person (where applicable)
- Witness/es (can be requested by either AFLQ or the reported person's club - witness must be on the team sheet and their attendance must be approved by the Chairperson)
- AFLQ advocate
- Tribunal Chairperson
- 3 x independent panel members (rotating roster throughout the season)
- AFLQ secretary
- If the reported person is under 18 years of age, the club may request a parent or guardian to attend.

TRIBUNAL PROCEDURE

- 1)** The Chairperson declares the hearing open and recording commences - rules and procedure are explained and all parties are introduced.
- 2)** The Chairperson asks the reported person to confirm their plea and if 'guilty', what aspect of the grading they are challenging.
- 3)** The umpire (where applicable) provides their account of events. The aggrieved person and witnesses will vacate the room while this occurs. The reported person's advocate, AFLQ's advocate and the panel may ask the umpire questions if desired and the umpire will be free to leave once this concludes.
- 4)** The aggrieved person (where applicable) is brought into the hearing to provide their account of events (witnesses will vacate the room while this occurs). The reported person's advocate, AFLQ's advocate and the panel may ask the aggrieved person questions if desired, and they will be free to leave once this concludes.
- 5)** The witness/es (where permission to attend the hearing is granted by the Chairperson) is brought into the hearing to provide their account of events. The reported person's advocate, AFLQ's advocate and the panel may ask the witness questions if desired, and they will be free to leave once this concludes.
- 6)** The reported person will provide their account of the events. Their advocate, AFLQ's advocate and the panel may ask them questions if desired.
- 7)** AFLQ's advocate makes final submissions. They may refer to any evidence they wish to rely on during their submissions.
- 8)** The reported person's advocate makes final submissions. They may refer to any evidence they wish to rely on during their submissions.
- 9)** All parties except the panel and Chairperson leave the room, and the panel decides whether the reported person is Guilty or Not Guilty.
- 10)** All parties are brought back into the hearing. If the reported person is found Not Guilty, **the hearing concludes**.
- 11)** If the reported person is found Guilty, AFLQ's advocate and the reported person's advocate will both be provided an opportunity to put forth an appropriate penalty.
- 12)** All parties except the panel and Chairperson will again leave the room and the panel will decide on the penalty.
- 13)** All parties are brought back into the hearing and the Chairperson advises of the decision.
- 14)** The hearing concludes.

TRIBUNAL DEADLINES

10:00AM MONDAY

Where a set penalty was offered by an umpire post-match and the club did not confirm whether it was accepted at the time, they must contact AFLQ prior to 10am Monday to advise if they will be challenging the charge at Tribunal. Where no contact is made, the charge will be deemed to be accepted.

1:30PM MONDAY

The Match Review Panel (**MRP**) meets to review all incidents that occurred over the weekend. Clubs will be phoned post-MRP to advise of any charges laid, then emailed the Notice of Charge.

10:00AM TUESDAY

Where a set penalty is offered post-MRP on Monday, clubs have until 10am Tuesday to advise AFLQ whether they accept the charge or wish to challenge at Tribunal. Where no contact is made, the charge will be deemed to be accepted.

9:00AM WEDNESDAY (OR DAY OF TRIBUNAL)

Where a person has been charged with a direct Tribunal offence or a club has indicated they wish to challenge a charge at Tribunal, clubs will be required to return the following documents by no later than 9am on the day of Tribunal (generally a Wednesday evening):

- Tribunal Required Information Document (see Appendix 6)
- Pre-sentence Document (see Appendix 7)
- Any Evidence they wish to present (photos, videos, letters, documentation etc.) - the Tribunal Chairperson will determine if the evidence is admissible prior to the hearing.

15 MINUTES PRIOR TO HEARING

The reported person and advocate must be ready and waiting in the foyer area of the AFLQ Head Office Building in Yeronga (for in-person hearings) or waiting in the Webex meeting lobby (for online hearings). Where a reported person fails to attend a hearing, it is at the Tribunal Chair's discretion as to whether the hearing will proceed in their absence, or if the hearing will be postponed to a later date (noting the reported person cannot participate in an AFLQ-sanctioned match until the matter has been heard).

TRIBUNAL PANEL

AFLQ's Tribunal panel comprises of approximately 20 volunteers who have extensive knowledge of AFL and/or a legal background with sporting expertise. The Tribunal operates on a rotating roster to ensure fairness and balance.

At the discretion of AFLQ, the Tribunal panel should not consist of members who are current players, coaches, employees or board members at an AFLQ-affiliated club.

INSTRUCTIONS FOR PANEL MEMBERS

In all cases the Tribunal panel members, including the Chairperson, will apply the following in making their decision:

- The Tribunal operates independently from AFLQ – they are the only judges of the facts in the case.
- The Tribunal must determine the matter based on the evidence put before them, i.e. they are not to be influenced by any external factor such as media, gossip or personal bias.
- The Tribunal should be aware that slow motion video footage may give a false impression, for example when assessing intent and severity.
- The Tribunal should consider the weight to be given to any piece of evidence.
- The Tribunal is entitled to assess the evidence against their own life experiences, including football playing experience.
- Any comment made by AFLQ or the player's advocate is not to be taken as evidence. The role of an advocate is to persuade the Tribunal's view regarding the evidence that is being put before it.
- The burden of proof for reportable offences is 'balance of probabilities' – this means, a majority of the Tribunal must be satisfied that it is more probable than not that the offence occurred or the grading applies.
- The failure of any evidence to be put before the Tribunal is not a ground of appeal. The onus is on each advocate to raise all matters they deem relevant during the hearing.

ONLINE HEARINGS

ELIGIBILITY

Hearings will only take place online, where;

- The reported person's club is more than two hours' drive from AFLQ's Head Office in Yeronga
- Other extenuating circumstances have arisen (to be granted or rejected at the discretion of AFLQ)

WHERE AN ONLINE HEARING HAS BEEN APPROVED

- All online hearings are conducted via the online platform 'Webex'.
- All parties are strongly encouraged to dial in via a computer or laptop rather than a mobile device - the 'Webex' app/software installation must be downloaded and tested prior to the hearing.
- A meeting link will be emailed to all attending parties on the day of Tribunal hearing. Clubs must indicate prior whether the reported person and their advocate will be dialling in together or via separate devices.
- At least 15 minutes prior to the hearing start time, all attendees will need to hit the green 'join meeting' button in the calendar invite. This will direct attendees to a waiting lobby until the organiser manually accepts you into the meeting. You will be required to do an audio and video check with the Tribunal secretary prior to the hearing commencing.

FAQS: GENERAL

WHO CAN I APPOINT AS MY ADVOCATE?

A reported person can appoint anyone to be their advocate (legally trained or not) except for the following:

- The reported person's parent or guardian; and/or
- A person called as a witness to the incident in question.

To obtain the best possible outcome, it is strongly encouraged to select an advocate who is well-spoken, has extensive knowledge of the game and its rules, and ideally has attended a Tribunal hearing or similar in the past. If the reported person is an adult, self-representation is permitted.

WHAT HAPPENS IF I CHALLENGE A CHARGE AND AM FOUND GUILTY?

If the independent Tribunal panel determine that the reported person is guilty of the charge originally laid upon them, the person will receive the base sanction for a classifiable offence (1 week additional to the early guilty plea). For direct Tribunal offences where the penalty matrix does not apply, the panel will use their discretion to determine a suitable sanction for the offence.

WHAT IF I AM UNABLE TO ATTEND THE HEARING?

A reported person **must** attend their Tribunal hearing unless extenuating circumstances apply. Where the reported person believes they have an inexcusable reason for which they cannot attend, they must advise AFLQ with as much notice as possible so that a decision can be made as to whether the hearing will proceed or be postponed.

Where a reported person simply does not show up to the hearing, the Tribunal Chairperson will use their discretion to determine whether the hearing will proceed in their absence, or whether the hearing will be postponed. If the hearing is postponed, the reported person is prohibited from participating in any AFLQ-sanctioned match until such time as the matter has been heard.

IS THERE A LIMIT TO HOW MANY SUSPENSIONS I CAN RECEIVE?

A person will become automatically de-registered when they accumulate 16 suspended matches. This is a permanent ban from participating in Community Football in any capacity (player, coach, volunteer or manager). Where a person has accumulated 10 or more suspended games, they and their club will receive a de-registration warning letter from AFLQ.

FAQS: SCENARIO BASED

A PLAYER HAS BEEN CHARGED WITH ROUGH CONDUCT FOR A DANGEROUS TACKLE. THE INCIDENT HAS BEEN GRADED AS CARELESS CONDUCT - MEDIUM IMPACT - HIGH CONTACT.

OUR PLAYER DID NOT MAKE CONTACT WITH THE OPPONENT'S HEAD, WHY HAS IT BEEN GRADED AS HIGH CONTACT?

High Contact is not limited to contact to the head and includes contact above the shoulders. Contact will also be classified as High where a Person's head makes contact with another Person or object such as the fence or the ground as a result of the actions of the offending Person. For example, should a Person tackle another Person around the waist and as a result of the tackle, the tackled Person's head makes forceful contact with the fence or the ground, the Contact in these circumstances would be classified as High, even though the tackle was to the body.

THE OPPONENT CONTINUED TO PLAY OUT THE GAME AFTER OUR PLAYER WAS REPORTED FOR A DANGEROUS TACKLE AGAINST THEM. WHY HAS IT BEEN GRADED AS MEDIUM IMPACT, NOT LOW?

The Impact of a classifiable offence will be graded as Low, Medium, High or Severe. Low Impact is the minimum impact required for a Classifiable Offence which requires more than just negligible impact. However, the potential to cause injury may result in an upgrade to the level of Impact. The absence of injury does not preclude the classification of Impact as Low, Medium, High or Severe.

WHILE WE AGREE OUR PLAYER HAS ENGAGED IN ROUGH CONDUCT, WE DON'T AGREE WITH HOW THE MRP HAS GRADED THE INCIDENT. CAN WE ACCEPT THE CHARGE BUT CHALLENGE THE GRADING AT TRIBUNAL?

For classifiable offences where the Grading Matrix applies, players may challenge either the entire charge, or only an element/s of how the charge has been graded. The player's advocate will be required to articulate which of the above they seek to challenge at the start of the Tribunal hearing.

OUR PLAYER WAS CHARGED WITH ROUGH CONDUCT IN AN UNDER 17S GAME AND WE ACCEPTED HIS ONE MATCH SUSPENSION. HE ALSO PLAYS IN OUR CLUB'S COLTS TEAM, IS HE ABLE TO PLAY WHILE HE IS SUSPENDED IN UNDER 17S?

The player must serve their suspension in the grade in which they played or participated in immediately prior to such suspension, and (unless extenuating circumstances apply) cannot participate in other competitions until the suspension has been served. The suspension may not be served in practice or trial matches, and players are ineligible to participate in a representative match unless the controlling body uses its discretion to allow this.

RESOURCE LINKS

[LAWS OF AUSTRALIAN FOOTBALL](#)

[NATIONAL COMMUNITY FOOTBALL POLICY HANDBOOK](#)

[AFL QUEENSLAND COMMUNITY COMPETITIONS RULES & PROCEDURES](#)

[TRIBUNAL PROCEDURE GUIDELINES](#)

[THE MANAGEMENT OF SPORT-RELATED CONCUSSION IN AUSTRALIAN FOOTBALL](#)

APPENDIX 1 - CLASSIFIABLE OFFENCES & PENALTY MATRIX

A CLASSIFIABLE OFFENCE IS A REPORTABLE OFFENCE WHICH IS GRADED IN ORDER TO DETERMINE AN APPROPRIATE BASE SANCTION FOR THAT REPORTABLE OFFENCE. OFFENCES INCLUDE:

- Charging
- Unreasonable or unnecessary contact to the eye region
- Forceful front-on contact
- Headbutt or contact using head
- Kicking
- Kneeing
- Rough conduct
- Striking
- Tripping
- Unreasonable or unnecessary contact to the face

CLASSIFIABLE OFFENCES ARE GRADED AGAINST THE BELOW MATRIX:

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 & / 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 & / or Reprimand
	Low	High/Groin/Chest*	1 Match	Fine & / or Reprimand
		Body	1 Match	Fine & / or Reprimand

**References to 'Chest' apply to females only.*

APPENDIX 2 - LOW-LEVEL OFFENCES & PENALTY TABLE

LOW-LEVEL OFFENCES ARE REPORTABLE INCIDENTS WHICH DO NOT REQUIRE GRADING VIA THE CLASSIFIABLE OFFENCES MATRIX. OFFENCES INCLUDE:

- Attempt to strike/kick/trip
- Careless contact with an umpire
- Disputing decision
- Instigator of a melee/wrestle
- Interfering with a player kicking for goal
- Unreasonable or unnecessary contact with an injured player
- Unreasonable or unnecessary contact with an umpire
- Not leaving the playing surface
- Obscene gesture
- Pinching
- Prohibited boots, jewellery or equipment
- Scratching
- Shaking, climbing or interfering with goal or behind post
- Spitting at another player
- Staging
- Striking
- Kicking
- Time wasting
- Tripping
- Engaging in a Melee/Wrestle
- Any other act of low-level misconduct which is not a 'Classifiable Offence' or 'Direct Tribunal Offence'

LOW-LEVEL OFFENCES ARE SANCTIONED AGAINST THE BELOW MATRIX:

Table 6 – Low-level Offence Base Sanctions			
1st & 2nd Low-level Offence		3rd & Subsequent Low-Level Offence	
Base Sanction	Early Guilty Plea	Base Sanction	Early Guilty Plea
1 Match	Reprimand	2 Matches	1 Match

APPENDIX 3 - AUDITORY OFFENCES & PENALTY MATRIX

AN AUDITORY OFFENCE IS A REPORTABLE OFFENCE WHICH IS GRADED IN ORDER TO DETERMINE AN APPROPRIATE BASE SANCTION FOR THAT REPORTABLE OFFENCE. OFFENCES INCLUDE:

- Using abusive, insulting or obscene language towards or in relation to an umpire
- Using abusive, insulting, threatening or obscene language

AUDITORY OFFENCES ARE GRADED AGAINST THE BELOW MATRIX:

Table 8 – Auditory Classification Table				
Conduct	Receiver	Volume	Base Sanction	Early Guilty Plea
Threatening	Umpire*	Any	4 or more Matches (Tribunal)*	N/A
	Another Person	Loud	4 or more Matches (Tribunal)*	N/A
		Medium or Low	3 Matches	2 Matches
High-level Abusive / Obscene / Insulting	Umpire	Loud	4 Matches	3 Matches
		Medium or Low	3 Matches	2 Matches
	Another Person	Loud	3 Matches	2 Matches
		Medium or Low	2 Matches	1 Match
Low-level Abusive / Obscene / Insulting	Umpire	Loud	3 Matches	2 Matches
		Medium or Low	2 Matches	1 Match
	Another Person	Loud	2 Matches	1 Match
		Medium or Low	1 Match	Fine and/or Reprimand

APPENDIX 4 - DIRECT TRIBUNAL OFFENCES

DIRECT TRIBUNAL OFFENCES ARE REPORTABLE OFFENCES OF A MORE SERIOUS SCALE WHICH ARE REFERRED DIRECTLY TO THE TRIBUNAL FOR DETERMINATION WITHOUT GRADING. OFFENCES INCLUDE:

- Attempting to strike an umpire
- Behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an umpire
- Eye gouging
- Intentional contact with an umpire
- Spitting on another person
- Spitting on or at an umpire
- Stomping
- Striking an umpire
- Serious misconduct

APPENDIX 5 - REPORTABLE OFFENCES

22.2 REPORTABLE OFFENCES

22.2.1 Degree of Intent - Clarification

Where any of the Reportable Offences listed in Law 22.2.2 specify that conduct may be intentional or careless:

- (a) any report or notice of report which does not allege whether the conduct was intentional or careless shall be deemed to and be read as alleging that the conduct was either intentional or careless; and
- (b) the Tribunal or other body appointed to hear and determine the report may find the report proven if it is satisfied on the balance of probabilities that the conduct was either intentional or careless.

22.2.2 Specific Offences

Any of the following types of conduct is a Reportable Offence:

- (a) intentionally or carelessly:
 - (i) striking another person;
 - (ii) kicking another person;
 - (iii) kneeling another person;
 - (iv) Charging an opponent;
 - (v) engaging in Rough Conduct against an opponent;
 - (vi) bumping or making forceful contact to an opponent from front-on when that Player has their head down over the football;
 - (vii) head-butting or making contact to another person using the head;
 - (viii) making unreasonable or unnecessary contact to the eye region of another person;
 - (ix) making unreasonable or unnecessary contact to the face of another person;
 - (x) scratching another person; or
 - (xi) tripping another person whether by hand, arm, foot or leg;
- (b) eye-gouging another person;
- (c) stomping on another person;
- (d) intentionally making contact with, or striking, an Umpire;
- (e) attempting to strike an Umpire;
- (f) spitting on or at an Umpire;
- (g) behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an Umpire;
- (h) using abusive, insulting or obscene language towards or in relation to an Umpire;
- (i) unreasonable or unnecessary contact with an Umpire;
- (j) carelessly making contact with an Umpire;
- (k) disputing a decision of an Umpire;
- (l) spitting on or at another person;
- (m) attempting to strike another person;
- (n) attempting to kick another person;
- (o) attempting to trip another person whether by hand, arm, foot or leg;
- (p) making unreasonable or unnecessary contact with an Injured Player;
- (q) engaging in a Melee;
- (r) instigating a Melee;
- (s) wrestling another person;
- (t) pinching another person;
- (u) engaging in an act of staging;
- (v) using abusive, insulting, threatening or obscene language;
- (w) use of an obscene gesture;
- (x) engaging in Time Wasting;
- (y) interfering with a Player Kicking for Goal;
- (z) intentionally shaking, climbing or otherwise interfering with a goal or behind post;
- (aa) failing to leave the Playing Surface when directed to do so by an Umpire;
- (bb) wearing boots, jewellery and equipment prohibited under Law 9; or
- (cc) engaging in any other act of misconduct or serious misconduct.

APPENDIX 6 - PRE-TRIBUNAL REQUIRED INFO DOCUMENT



TRIBUNAL Required Information

<u>DETAILS OF CHARGE</u>	
Competition / Division:	
Competing Teams:	
Date of Match:	
Reported Person / Club:	
Charge:	
Umpire:	

<u>DETAILS REQUIRED FOR TRIBUNAL</u>	
Reported Person will be in attendance? Y/N <small>*Note: Reported person must attend unless extenuating circumstances apply</small>	
Player Advocate Name:	
Player Advocate Email & Phone Number:	
Is the Player Advocate legally trained?	
Witness/es Requested: (Include name, relationship to reported player and their role during the game) <small>*Note: Must be on team sheet</small>	
Evidence Requested: (Include details: video, photo, medical etc.). <small>* Please email evidence through on return of this form</small>	

The above details must be filled out and returned by no later than 9:00am on the day of the hearing

<u>TRIBUNAL HEARING DETAILS</u>	
Date of Tribunal:	
Time of Tribunal:	
Location of Tribunal:	

FURTHER INFORMATION

APPENDIX 7 - PRE-SENTENCE DOCUMENT

PRE-SENTENCE REPORT

To be completed and provided to the AFLQ Tribunal Secretary prior to a hearing. In the event that the reported person cannot attend the hearing, this report must be annexed to a Statutory Declaration by the reported person consenting to a hearing in their absence.

REPORTED PERSON'S NAME: _____ DATE OF BIRTH: ____ / ____ / ____ CLUB: _____

HISTORY – PLAYER/ COACH/ PERSON

	Year (s)	Club (s)	Role (player/ coach/ official/ volunteer)	Name of League or Association	Awards at League or Association Level (not Club Awards)	Disciplinary History*	
						Offence	Penalty
Senior							
Junior							

*History of any/all prior reprimands and suspensions must be included in this section. Please note this information will be crosschecked with our registration database - any differences between the submitted presentence report and AFL Queensland's system will be flagged to the reported person's advocate prior to the proceedings.

Signature of Person: _____ Date: _____