

# **GUIDELINES FOR THE NEFL TRIBUNAL**

## **Procedures for a Tribunal Hearing**

### ***(As adopted by the SANFL Tribunal)***

#### **Order of proceedings:**

- a. Appointment of Chairman.
- b. The Tribunal shall satisfy itself that the person charged has had details of the charge.
- c. Umpires evidence.
- d. Cross - examination of Umpire by the Tribunal.
- e. Cross - examination of Umpire by the Advocate.
- f. Evidence of Umpires witness.
- g. Cross - examination of Umpires witness.
- h. Plea of player.
- i. Evidence of player.
- j. Cross - examination of player by the Tribunal.
- k. Evidence of players witness.
- l. Cross - examination of player's witness by the Tribunal.
- m. Submission by the player based upon the evidence presented.
- n. All people other than the Tribunal shall withdraw to allow the Tribunal to decide whether the charge is proven.
- o. Upon reaching its decision the Tribunal shall recall the person charged and the Umpire.
- p. If the charge is found "not proven" the Tribunal will be declared closed.
- q. If the charge is found "proven" the details of the player's record shall be read.
- r. The player or his representative may make a submission to the Tribunal on the question of penalty.

- s. All parties shall again withdraw to allow the Tribunal to decide on what order is to be made.
- t. The player charged and his representative shall then be readmitted and informed of the decision.

**Special Notes:**

- a. Evidence must be taken even if the player pleads guilty.
- b. A plea is always required.
- c. Any player who has representation (i.e. Advocate) before the Tribunal forfeits any right to question witnesses.
- d. At any time the Chairman and through him the other members of the Tribunal may ask questions of the Umpire, players or witnesses.
- e. Any person who conducts himself disrespectfully to the Tribunal during the hearing of a charge may be dealt with in such a manner as the Tribunal in its discretion shall deem fit.

**The following are guidelines for Umpires, Clubs and Commissioners as recommended by the NEFL Delegates. They are procedures and principles designed to assist in the administration of the NEFL.**

### **1. Handling of the report Sheet.**

It is recommended that the reporting umpire deliver the report sheet to the team manager/secretary of the team from which the player was reported as soon as possible after the match.

Umpires are to 'carry' correct report forms with them at all times.

One copy of the report should be given to team of the player reported and one copy to the home club to be left in the clubrooms. Home clubs via their secretary or by another appropriate person should notify the NEFL secretary as soon as possible, but not longer than 12 hours after the report has been made. The home secretary should post / fax/ deliver the original report sheet to the NEFL secretary before the Tribunal.

Umpires are also to notify the NEFL that they have made a report within 12 hours after the report has been made.

*Reason- It was felt that it was a waste of resources expecting each team manager to report to the umpires' room at the conclusion of each match.*

### **2. Notification of Clubs of the Tribunal Venue.**

It is recommended that the NEFL secretary or other official fax to the club of the reported player stating the tribunal details plus a phone call to confirm the receiving of the fax would be appropriate.

*Reason – This confirms all communication.*

### **3. Tribunal Venue.**

It is recommended that a commercial office or community venue would be a suitable venue for a tribunal. Any hire fees applicable should be paid by the NEFL.

*Reason- Although a domestic house is certainly comfortable, it imposes too much on the homeowner.*

### **4. Time of Tribunals.**

It is recommended that the Tribunal should meet on a Monday or Tuesday after the report is made excluding Public Holidays and the NEFL Presentation Dinner. This includes the last round of matches.

*Reason- The sooner the Tribunals are held, it is better for all participating.*

## **5. Tribunal Representation**

It is recommended for best practise that the Tribunal should consist of three Commissioners who would not be representing any Club of a player involved in the Report. Due allowance would however need to be made for multiple unavailability and in the unlikely event of multiple reports from a large numbers of clubs.

The Tribunal will elect a Chairperson from the three Commissioners attending.

*Reason – This should allow greater neutrality.*

## **6. Umpires attendance at the Tribunal**

It is recommended that umpires should attend tribunals. Attendance and evidence given by telephone should be in exceptional circumstances, not as normal practise.

*Reason - Umpires attendance improves the Tribunal. Tribunal attendance is part of the umpire's roles of employment.*

## **7. Penalties for guilty Players i.e. discount for pleading guilty.**

It is recommended that players which plead guilty should be given a discount by the Tribunal. This would be relevant in the event of;

- the umpire requesting to have a Tribunal even if Prescribed penalties are available
- for players which have had multiple reports
- those offences deemed to be too serious as not be considered for a Prescribed Penalty.

*Reason –There should be a discount for honesty.*

## **8. Suspended sentences.**

It is recommended that the NEFL Tribunal has the discretion to suspend penalties. The suspended period would apply until the end of the following season.

*Reason – Hopefully this should be used with the intention of improving player behaviour and act as a deterrent to future bad behaviour.*

## **9. First Offences - Discount for first offence**

It is recommended that the NEFL Tribunal has the discretion to discount penalties for a player's first offence.

*Reason- Reoccurring offenders should receive harsher penalties than a first offender in the hope that the first offender will not be reported again.*

