

CANTERBURY AFL

Send-off, Reportable Offences and Tribunal By-Laws - August 2022

ORDERING OFF THE FIELD

1. Field Umpires shall have the power to order from the field for a set period of 10 minutes playing time (does not include 1/4, 1/2, 3/4 time breaks) a player who commits a misdemeanour. (A yellow card).
2. If the breach of the rules is serious enough, in the Umpires opinion, the player can be sent off immediately for the remainder of the match. (A red card).
3. A player ordered off cannot be replaced.
4. When ordering the player off the Umpire shall indicate to the timekeeper of the ordering off is for ten minutes (by signal or yellow card), or for the remainder of the match (by signal or red card). The timekeeper shall note the time, number and team of the ordered off player. The captain of the team of the ordered off player may approach the Umpire to ascertain why the player was ordered off.
5. Any player ordered off for two periods of 10 minutes (ie two yellow cards) in one match shall be automatically reported and may not be replaced for the remainder of the match, nor may he return to the field.

NOTIFICATION OF REPORTED PLAYERS

Field Umpires (or Umpires Coordinator) shall inform the CAFL Secretary of any reported players by 7pm on matchday.

Minimum Penalties

1. For certain reportable offences, players may elect to accept an automatic suspension as prescribed by the umpires, unless the offence is referred to the tribunal.

2. **Minimum Offence Penalties**

Offence	Sanction
Disputes the decision of an Umpire	50m Penalty
Uses abusive, threatening and insulting language	Send Off (10 min)
Strikes an Opponent with a swinging arm and/or clenched fist to the body	One game suspension
Strikes an Opponent with a swinging arm and /or clenched fist above the neck.	Two game suspension

3. All "other offences" shall include, but not be limited to: Assault of Players and / or Officials; Intentional kicking of an Opponent, Umpire or Official; Misconduct - Bringing the game into disrepute; shall be referred to the Tribunal.
4. With the exception of "other offences" the following procedure will be adopted:
 - a) Umpires shall report and charge players in the usual manner, but the report shall not be heard by the Tribunal, unless requested by the reported player or official of the Club.
 - b) Such request shall be made to the CAFL Secretary by 12.00pm on the Monday immediately following the match.
 - c) If the Tribunal subsequently finds the charge sustained, it shall have the power to impose such penalty as it deems fit. If a penalty specified by the umpires is to be accepted it has to be signed by: 1) The player receiving the suspension, 2) The reporting umpire; 3) If the offence involves the other team the player offended against or a club representative is to sign. If the penalty is greater than the minimum penalty and is not accepted by the player, then the case will be heard by the tribunal.

REPEAT OFFENDERS

A player who is reported more than once during a season, shall forfeit the right to accept a set penalty, and shall automatically appear before the Independent Tribunal.

TRIBUNAL BY-LAWS

1. All players summoned to a Tribunal hearing by a report of an Umpire, are required to be in attendance at such time as directed by the League.
2. All Tribunal hearings shall be conducted at such venue as advised to Club delegates from time to time, or at such other place as may be notified.
3. The Tribunal shall consist of persons to be appointed by the Committee prior to the commencement of each season, including a Chairman.
4. The Tribunal shall have the power to hear and determine all charges laid by an Umpire, or officer of the CAFL and referred directly to the President.
5. The Tribunal may, at its absolute discretion, adjourn any case which may subsequently be heard as soon as possible.
6. The Tribunal may refer any question arising in relation to a matter of interpretation of any binding Rules or By-laws, or a question of any non-factual nature, to the Committee, and shall do so upon request by any party to the relevant hearing.
7. The Tribunal shall hear charges and shall be constituted by a quorum of at least three (3) member of the Independent Tribunal, one of whom shall be designated a Chairman by the members sitting who shall introduce himself as such at the commencement of any hearing by that Tribunal.
8. The Tribunal shall not be bound by the rules or laws of evidence.
9. The Tribunal shall notify the President of all decisions and determinations within 24 hours of such decisions and determinations being recorded.
10. All decisions and determinations of the Independent Tribunal shall be final and binding, and shall not be varied or rescinded upon any motion by any party or representative party thereof, and shall not be subject to any appeal or review.
11. The Tribunal Chairman shall report to the Committee, any player, Club Official or supporter who misconducts themselves within the precincts in which Tribunal hearing is conducted, and the Committee shall deal with all such reports of misconduct, and shall impose penalties as it deems appropriate.

ADVOCATE

All parties subject to a charge or charges shall have the right to be represented by any person associated with the Club with which the player is registered, provided that person's name appears in the records of the President as a duly appointed Club Official or Club Committee member, and which shall:

- a) be referred to as the player's "advocate";
- b) not be excluded from the hearing under any circumstances whatsoever, subject to that person's fitness and authority to act as an advocate;
- c) have the right to cross-examine any witnesses called on behalf of the person charged;
- d) have the rights to examine and re-examine witnesses called on behalf of the person charged;
- e) have the right to sum up the case of the person charged;
- f) not be a person who is, in the opinion of the Committee, legally qualified. No person charged shall have the right to legal representation.

PROCEDURE AND EVIDENCE AT TRIBUNAL HEARINGS

- a) The Tribunal should enter the hearing room and through and through the Chairman declare to those present that the hearing by the Tribunal will now commence;
- b) Advise those present the names of the Tribunal members;
- c) Invite the Player's advocate and the Umpire's advocate to announce their appearance;
- d) Ask the advocates whether they have any legal qualifications;
- e) Read the charges to the Player on at a time and at the end of each charge ask the Player whether he pleads guilty or not guilty; Ask all witnesses, other than the person laying the charges (Umpire) and the accused (Player) to leave the precincts of the hearing room;
- f) The umpire then gives his account of what happened (outline the facts relating to the charges) (evidence in chief);
- g) Witness is questioned by the Player's advocate (cross examination);

- h) Witness is re-examined by the Umpire's advocate i.e. limited to asking questions to clarify, explain or arising out of some point raised in cross-examination and nothing else;
- i) Tribunal question the witness (if desired);
- j) The advocates should be invited to ask questions of the witness arising out of questions asked by Tribunal members;
- k) Other witnesses in support of the charges then give evidence in like manner to g), h), i), j), and k);
- l) Player's witnesses (including Player if he so desires) give evidence (evidence in chief);
- m) Umpires advocate questions the witness (cross examination);
- n) Witness is re-examined by the Players Advocate in like manner to i);
- o) Tribunal members question the witness (if desired);
- p) The advocates should be invited to ask questions arising out of questions asked by the Tribunal members;
- q) Other witnesses for the Player then in turn give evidence in like manner to m), n), o), p), and q);
- r) At the completion of all evidence the Player's advocate should be invited to sum up and make any submissions he wishes to make to influence the Tribunal's finding;
- s) Tribunal retires to consider whether the charges are proved or not;
- t) Hearing reopens when the Chairman announces the Tribunal's decision as to guilt or otherwise on each charge;
- u) If the player is found guilty, the Players advocate should be invited to make submissions on penalty, produce character witnesses or tender documents in relation to character and the like;
- v) Tribunal retires then to consider penalty;
- w) Tribunal reopens, Chairman announces penalty imposed. In regard to taking evidence:
 - a) Evidence by witnesses should be limited to what they saw or heard and not what someone told them

b) Questions should be relevant to what happened, to what was said or done. Cross examination of witnesses as to their credit (honesty) should be permitted;

c) Once an advocate has an answer to a question from the witness he should be restrained from asking the same question again, if in doubt allow the question to be put. The Tribunal should not only be fair to all parties in the conduct of the hearing but should also appear to be fair;

d) Within the above limitations, advocates should be permitted to present their case in the manner they think appropriate. When considering whether the charges are proven or not, the Tribunal should accept matters raised and not disputed and facts not denied. Conflicting evidence should be considered in light of the demeanour of the witness; e.g.

a) Was the witness candid or were the recollections selective?

b) Did it occur in an endeavour to make the case better for one conclusion or was it in the nature of a genuine mistake or understanding?

c) The number of witnesses giving evidence, while important, should not be the criteria for determining whether a charge is proven or not;

d) What is important is that the Tribunal should come to a conclusion on evidence which in its mind is believable and convicting.