




TRIBUNAL 2015



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INTRODUCTION

The systems and processes that underpin the operations of the Match Review Panel (MRP) and the AFL Tribunal (Tribunal) are fundamental to the AFL competition. There have been a number of amendments to these systems and processes for 2015 following our annual review. As part of the review, we requested feedback from all 18 Clubs, the AFL Players' Association (AFLPA), the AFL Coaches Association (AFLCA) and industry representatives.

The revised guiding principles of the Tribunal system are:

- » To operate a simple system which is fair and reasonable and can be understood readily by the industry and wider public;
- » To achieve greater consistency in the reporting process via a MRP;
- » To promote appropriate outcomes by processing lower-level offences via the MRP, and higher-level offences via the Tribunal;
- » To promote the transparency and certainty of the process by detailing various Reportable Offences and determining the severity (and corresponding sanctions) for those offences;
- » To promote efficiency of the Tribunal process by allowing Players, where appropriate, to accept penalties without having to appear before the Tribunal;
- » To provide Players with the opportunity to contest a charge by permitting legal representation;
- » To provide Players with prescribed avenues of appeal in respect of MRP and Tribunal determinations;
- » To continually update and improve the technology available to the MRP and the Tribunal; and
- » To increase public understanding of the Tribunal system and its determinations.

The following table outlines the key outcomes of the Tribunal from 2005-14. The previous system was implemented in 2005. As outlined in the table, some of the key statistics for 2014 were:

- » 92% of Players charged with a Reportable Offence accepted the determination of the MRP.
- » 15 Tribunal hearings were held, compared with 15 in 2013.
- » Five cases were not sustained at the Tribunal, as against two in 2013.
- » Two cases were appealed, compared with zero in 2013.
- » 55 Players were suspended, as against 59 in 2013.
- » 75 matches were lost through suspension, compared with 104 in 2013.
- » \$96,350 in financial sanctions imposed, as against \$93,550 in 2013.

We thank the Clubs, the AFLPA, AFLCA and other members of the football community for their valuable input to this annual review.



MARK EVANS
General Manager – Football Operations
Australian Football League

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
Charges	150	137	150	128	147	159	178	236	157	183
Tribunal hearings	26	32	42	22	35	25	15	25	15	15
No. of cases not sustained	6	11	12	6	15	5	3	8	2	5
No. of Players accepting prescribed penalty	124	105	108	106	112	134	163	211	142	168
% of Players accepting prescribed penalty	83%	77%	72%	83%	76%	85%	92%	89%	90%	92%
Matches lost through suspension	77	71	71	77	68	86	72	112	104	75
Financial sanctions (\$)	108,600	66,900	114,800	65,700	101,700	77,300	92,600	159,850	93,550	96,350
Reprimands	21	36	38	31	29	42	47	41	33	41

The previous Tribunal system operated from 2005-2014. A revised Tribunal system has been introduced for the 2015 season.



1. CHANGES TO BE INTRODUCED IN 2015

The following elements of the Tribunal System have been modified for 2015:

A. ASSESSMENT OF CLASSIFIABLE OFFENCES

Conduct is now graded as Careless or Intentional (replacing Intentional, Reckless or Negligent). The MRP will have the capacity to consider a range of factors in grading an incident and will retain the capacity to upgrade their assessment of the severity of Impact where there is potential to cause serious injury.

B. ROUGH CONDUCT

In 2015, a head clash may be considered a reasonably foreseeable outcome that might arise from a Player's decision to bump an opponent. Accordingly, Players may be liable for a sanction if they elect to bump and that bump results in a head clash. Regard will be had to the circumstances of the head clash in determining the level of any impact.

C. REMOVAL OF DEMERIT POINTS AND CARRY-OVER POINTS

Sanctions no longer consist of Demerit Points or Carry-Over Points and instead are limited to fines or matches of suspension.

D. SANCTIONS FOR CLASSIFIABLE OFFENCES

The MRP will be able to issue fines or base sanctions of two- or three-match suspensions in respect of Classifiable Offences, and will refer more serious offences or those that do not fit the Classification Table to the Tribunal (which will continue to be able to determine a penalty at its discretion). For incidents referred directly to the Tribunal, serious intentional actions and/or serious misconduct will be subject to greater sanctions.

E. EARLY PLEA

The previous 25% Demerit Point discount or 25% discount for Fixed Financial Sanctions for Players who accept an early plea has been modified such that Players who submit an early plea will now receive a one-match reduction from the base sanction or a reduced fine. For charges directly referred to the Tribunal, the Player retains the ability to lodge an early plea at the hearing.

F. GOOD RECORD

The automatic six-year 25% Good Record discount has been removed. Players with an exemplary record can argue this constitutes exceptional and compelling circumstances under Regulation 19.7(a)(iii) (which would make it inappropriate to apply the consequences in Appendix 1 to the determined classification). In such circumstances the Tribunal Jury retains the ability to impose such sanction or sanctions as they in their absolute discretion think fit.

G. BAD RECORD

Base sanctions will continue to be impacted by Player record, however this is no longer linked to Carry-Over Points or percentage loadings. Instead, Players will be subject to an increased fine for a second low-level offence within the same AFL Season, and a one-match suspension plus a fine for third and subsequent low-level offences within the same season (reduced to a one-match suspension with an early plea). Players who have been suspended for at least two matches in total within the last two AFL Years will receive an additional one-match suspension on top of the base sanction.

H. BROWNLOW MEDAL ELIGIBILITY

Brownlow Medal eligibility has been modified such that the previous ineligibility threshold of 100 base Demerit Points in a Home and Away Match has been removed, and Players will now only be ineligible for the Brownlow Medal if they receive a suspension of one or more matches during the Home and Away Season (noting that this includes a one-match suspension received for three low-level Classifiable Offences within the same season).

I. GRAND FINAL LOADING

The previous 100% Grand Final Loading on base Demerit Points has been removed. In 2015, a Player charged with a Reportable Offence during the Grand Final will not receive any loading if the base sanction is a fine or a suspension of up to two matches. The Fixed Financial Offences of Engaging in a Melee, Instigating a Melee or Engaging in Wrestling will continue to incur a 100% loading. For Reportable Offences with a base sanction of three matches or more, the charge will be directly referred to the Tribunal which will not be bound by any maximum sanction (penalty at large).

2. HOW THE SYSTEM WORKS

2.1 THE REPORTING PROCESS

A. LODGEMENT OF A REPORT OR REFERRAL

The MRP will assess all reports and referrals lodged in respect of potential Reportable Offences. A Notice of Report may be lodged by an officiating Umpire for the relevant match. A referral may be lodged by the officiating Umpires, Umpires Observers, the National Head of Umpiring, the AFL General Manager – Football Operations, the CEO of a club competing in the relevant match, or the MRP itself during its video review of all matches.

In relation to Notices of Report lodged with the MRP, the MRP will contact the Umpire who completed and lodged the Notice of Report prior to deciding whether to charge the Player with the Reportable Offence(s) referred to in the Notice of Report.

B. DETERMINATION OF TYPE OF OFFENCE AND APPROPRIATE CHARGE (IF ANY)

Following review of each report or referral, the MRP will determine whether the Player is to be charged with a Reportable Offence and, if so, the appropriate type of Reportable Offence. There are three types of Reportable Offences, being:

- » A Classifiable Offence (graded in accordance with section 3.1);
- » A Direct Tribunal Offence (referred by the MRP directly to the Tribunal – see section 3.2); or
- » A Fixed Financial Offence (determined in accordance with section 3.3).

The MRP will inform the Player [or the Player's club] whether or not that Player has been charged with a Reportable Offence and, if so, the type of offence and corresponding base sanction for that charge. The MRP will provide reasons where it determines that a Player the subject of a report or referral is not to be charged with a Reportable Offence.

C. OPTIONS AVAILABLE TO A PLAYER CHARGED WITH A REPORTABLE OFFENCE

A Player charged with a Reportable Offence may:

- » Submit an early guilty plea, in which case the relevant sanction for the Reportable Offence will apply subject to any reduction available as a result of the early guilty plea – see applicable reductions in section 3; or
- » Contest a charge or plead guilty to a lesser charge, in which case a Tribunal hearing will be convened for which the Player may engage legal representation.

D. TRIBUNAL HEARINGS

The Tribunal will hear a charge for which a Player has pleaded not guilty or has pleaded guilty to a lesser charge. The Tribunal may find the Player guilty of the original charge or lesser charge, or may find the Player not guilty of any charge. The Tribunal will determine the appropriate sanction for the ultimate Reportable Offence it finds a Player to have committed (if any).

A Player who has suffered harm as a result of the alleged offence may give evidence prior to or at the Tribunal hearing, but only with the permission of the Tribunal Chairman.

E. AN APPEAL OF A DECISION OF THE TRIBUNAL

A Player may appeal the decision of the Tribunal to the Appeal Board on one or more of the following grounds:

- » An error in law has occurred;
- » The decision of the Tribunal is so unreasonable that no Tribunal acting reasonably could have come to that decision having regard to the evidence before it;
- » The classification of the offence by the Tribunal was manifestly excessive; or
- » The sanction imposed by the Tribunal was manifestly excessive.

In addition, Regulation 20 provides that an appellant can seek leave of the Appeal Board to produce fresh evidence provided the appellant can convince the Appeal Board that the evidence sought to be produced could not, by reasonable diligence, have been obtained prior to the conclusion of the Tribunal hearing and where that evidence is of sufficient value that had it been presented before the Tribunal, the Tribunal would have reached a different decision (see Regulation 20.21(b)).

The cost of an appeal will be \$5000, with \$2500 non-refundable.

2.2 THE MRP AND THE TRIBUNAL

(A) MRP

Panel Members: Luke Ball, Nathan Burke, Michael Christian, Brad Sewell

Secretary: Patrick Clifton

Role

- » Analyse available video of all matches.
- » Review reports or referrals lodged by Umpires and other designated officials.
- » Determine appropriate classification of Classifiable Offences.
- » Make charges when satisfied that a Reportable Offence has occurred.
- » Refer relevant offences to the Tribunal where applicable.
- » Advise Players of any charges and the corresponding sanction for that charge (which a Player may accept or contest at the Tribunal).
- » Provide reasons in respect of any reports or referrals which are not progressed to a charge.

(B) TRIBUNAL

Chairman: David Jones

Deputy Chairman: Ross Howie

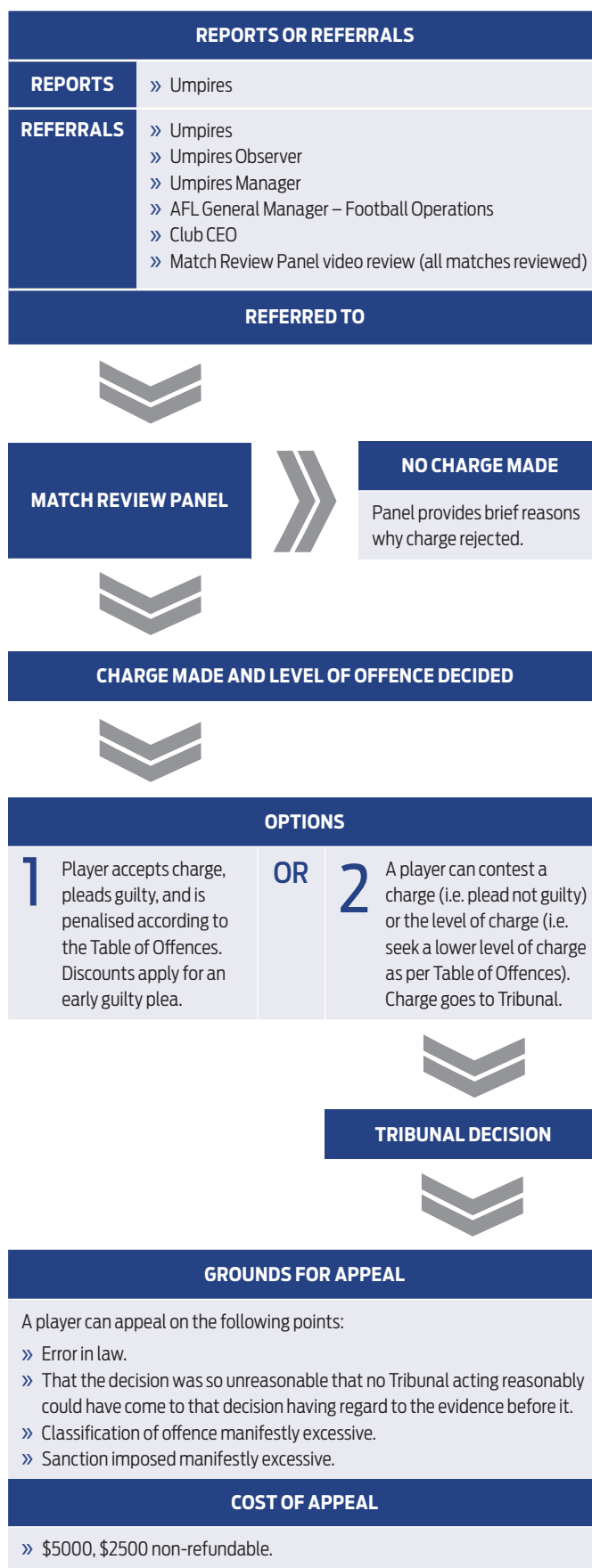
Jury Members: Daniel Harford, Wayne Henwood, Richard Loveridge, Stewart Loewe, David Pittman, Michael Sexton, Wayne Schimmelbusch, Paul Williams and Shane Wakelin

Secretary: Patrick Clifton

Role

- » Convenes to hear Direct Tribunal Offences and those Classifiable Offences which are sufficiently serious to be referred to the Tribunal.
- » Comprised of a Chairman and a three-member Jury.
- » The Chairman manages process and decides on points of law.
- » The Jury determines whether the Reportable Offence occurred and applies an appropriate sanction (if applicable).

THE REPORTING PROCESS



3. REPORTABLE OFFENCES

A Reportable Offence occurs where a person or Player commits any of the offences set out in Law 19.2.2 of the Laws of Australian Football (the Laws) or any other offence referred to in Regulation 16.10 of the AFL Regulations (the Regulations). Broadly speaking, there are three categories of Reportable Offences, being:

- » Classifiable Offences
- » Direct Tribunal Offences
- » Fixed Financial Offences

See section 4 of these Tribunal Guidelines for further information in relation to Reportable Offences.

3.1 CLASSIFIABLE OFFENCES

(A) WHICH REPORTABLE OFFENCES ARE CLASSIFIABLE OFFENCES?

Classifiable Offences are those Reportable Offences (specified in the table below) which, as per previous years, are graded by the MRP in order to determine an appropriate base sanction for that offence.

CLASSIFIABLE OFFENCES
Striking
Kicking
Kneeing
Stomping
Charging
Rough conduct
Forceful front-on contact
Headbutt or contact using head
Eye-gouging / unreasonable or unnecessary contact to the eye region
Unreasonable or unnecessary contact to the face
Unreasonable or unnecessary contact with an injured player
Scratching
Tripping

(B) GRADING CLASSIFIABLE OFFENCES

The MRP will grade Classifiable Offences in accordance with the following table:

CONDUCT	IMPACT	CONTACT	BASE SANCTION	EARLY GUILTY PLEA
Intentional	Severe	All	Tribunal	N/A
	High	High/groin	Tribunal	N/A
		Body	3 matches	2 matches
	Medium	High/groin	3 matches	2 matches
		Body	2 matches	1 match
Low	High/groin	2 matches	1 match	
	Body	\$1500	\$1000	
Careless	Severe	All	Tribunal	N/A
	High	High/groin	3 matches	2 matches
		Body	2 matches	1 match
	Medium	High/groin	2 matches	1 match
		Body	\$1500	\$1000
	Low	High/groin	\$1500	\$1000
		Body	\$1500	\$1000

As indicated in the table above, the determination of a base sanction for a Classifiable Offence will be made based on an assessment of whether:

1. The Conduct is Intentional or Careless;
2. The Impact is Severe, High, Medium or Low; and
3. The Contact with the other Player/person is High/Groin or to the Body.

Accordingly, an offence assessed by the MRP to be of a lower level will generally attract a fine as a base sanction (noting that some of these offences would

previously have attracted a one-match suspension). On the other hand, an offence assessed by the MRP to be of a higher level will attract a base sanction of a two- or three-match suspension. More serious Classifiable Offences (being, in effect, offences assessed by the MRP to have a base sanction greater than a three-match suspension) or offences which do not fit the Classification Table will be referred by the MRP to the Tribunal (which will determine an appropriate sanction at its discretion). For incidents referred directly to the Tribunal, serious intentional actions and/or serious misconduct will be subject to greater sanctions commensurate with the potential to cause serious injury and/or the potential to prejudice the reputation of any person, club or the AFL or bring the game of football into disrepute.

Example: A Player is reported for Striking (a Classifiable Offence). In considering the report, the MRP will assess the level of Conduct, Impact and Contact. The MRP determines:

- » The Conduct was Careless, but not Intentional;
- » The Impact of the Strike was High; and
- » The Contact was to the Body of the opposition Player.

CONDUCT	IMPACT	CONTACT	BASE SANCTION
Careless	High	Body	2 Matches

For more information on how the MRP and Tribunal assess Classifiable Offences, please refer to section 4.2 of these Tribunal Guidelines.

(C) CONTESTING A CLASSIFIABLE OFFENCE CHARGE

A Player charged with a Classifiable Offence may contest that charge at the Tribunal in its entirety or may seek to downgrade the charge. A Player who successfully contests a charge will not receive a sanction or will receive a lesser sanction in respect of the charge.

Successful contest: If a Player successfully contests the classification of a charge at the Tribunal (such that the Tribunal determines to downgrade the charge), he will be entitled to receive a reduction in the sanction equivalent to the reduction obtained had the Player submitted an early guilty plea for that lesser offence.

Example: Player Smith is charged with Rough Conduct, which was graded as Intentional, High Impact and Body Contact by the MRP. Player Smith decides that he is guilty of Rough Conduct, but that the conduct was Careless, not Intentional. He challenges this at the Tribunal and is successful, which reduces the charge to a base sanction of a two-match suspension. He still qualifies for a further reduction in that base sanction of one match that is normally obtained for an early guilty plea.

Partially successful contest: A Player who contests two or more aspects of a charge, but who is only successful in one aspect, will not receive the reduction in the base sanction that would normally be received for an early guilty plea.

Example: Player Smith decides to challenge both the Conduct (Intentional to Careless) and the Impact (High to Medium) but is successful in just one. In this instance he does not qualify for the one-match reduction that is normally obtained for an early guilty plea.

Unsuccessful contest: A Player who unsuccessfully contests a charge will receive the base sanction for that charge without any discount for an early guilty plea (subject to the Tribunal's discretion to classify the charge differently).

(D) IMPACT OF A BAD RECORD ON CLASSIFIABLE OFFENCES

The base sanction for Classifiable Offences will be subsequently increased where a Player has a bad record. In particular, a Player charged with a Classifiable Offence which attracts a base sanction of two or more matches will receive an additional one-match suspension if he has been suspended for at least two matches in total in the two previous AFL Years.

Example: Player Jones was suspended for one match in Round 5, 2013 and two matches in Round 14, 2014. In Round 3, 2015, he is charged with a Rough Conduct offence which has a base sanction of two matches. By virtue of his bad record, Jones will receive an additional one-match suspension on top of the base sanction for the Rough Conduct offence.

(E) MULTIPLE LOW-LEVEL CLASSIFIABLE OFFENCES

Where a Player commits multiple Classifiable Offences in a single AFL Season, each of which attracting a base sanction of a fine (as per the table in section 3.1(b)), that base sanction (and sanction following an early guilty plea) for the second, third and subsequent Classifiable Offences will be as follows:

CLASSIFIABLE OFFENCE	BASE SANCTION	EARLY GUILTY PLEA
First offence	\$1500	\$1000
Second offence	\$2500	\$1500
Third and subsequent offences	\$2500 + 1 Match Suspension	\$0 + 1 Match Suspension

(F) STATE LEAGUE SUSPENSIONS

If an AFL-registered Player incurs a suspension in a State League affiliated with the AFL, such a suspension will not apply to any assessment of that Player's bad record in respect of determining the sanction for any Reportable Offence in the AFL Competition.

Example: AFL-listed Player Jackson was suspended for four matches in the SANFL in 2014. If reported in the AFL in 2015, the base sanction for that report will not be increased on account of the SANFL suspension.

(G) REDUCTIONS IN BASE SANCTION FOR AN EARLY GUILTY PLEA

The base sanction for Classifiable Offences will be subsequently decreased where a Player submits an early guilty plea. As per the Classification Table in section 3.1(b):

- » An early guilty plea in respect of a Classifiable Offence with a base sanction of two or three matches will result in a one-match reduction in the suspension; and
- » An early guilty plea in respect of a Classifiable Offence with a base sanction of a fine will result in a fixed reduction in the fine (see also the table in 3.1(b) above).

(H) IMPACT OF A GOOD RECORD

Players will no longer automatically receive a reduced base sanction for a good record. However, if a Classifiable Offence is appealed or referred to the Tribunal, a Player with an exemplary record could argue that their good record constitutes exceptional and compelling circumstances under Regulation 19.7(a)(ii) (which would make it inappropriate to apply the consequences in Appendix 1 to the determined classification). In such circumstances, the Jury members would determine the appropriate sanction in their absolute discretion.

3.2 DIRECT TRIBUNAL OFFENCES

(A) WHICH REPORTABLE OFFENCES ARE DIRECT TRIBUNAL OFFENCES?

Direct Tribunal Offences are those Reportable Offences (specified in the table below) which are referred by the MRP directly to the Tribunal for determination without grading (i.e. without an assessment of the offence using the Classification Table):

DIRECT TRIBUNAL OFFENCES
Intentional contact with an Umpire
Striking an Umpire
Spitting on or at an Umpire
Spitting on another Person
Attempting to strike an Umpire
Behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an Umpire
Any Classifiable or Fixed Financial Offence which attracts a base sanction that the MRP finds inappropriate
Any other act of serious misconduct which the MRP considers appropriate to refer to the Tribunal

(B) DETERMINATION OF DIRECT TRIBUNAL OFFENCES?

The Tribunal will determine Direct Tribunal Offences as it would any other offence which is referred to it (see sections 2.1(d) and 5 for more information in relation to Tribunal hearings).



(C) TRIBUNAL SANCTIONS

The Tribunal Jury will determine the appropriate sanction for a Direct Tribunal Offence in its absolute discretion, noting that a Player with an exemplary record could argue that their good record constitutes exceptional and compelling circumstances under Regulation 19.7(a)(ii) (which would make it inappropriate to apply the consequences in Appendix 1 to the determined classification). In such circumstances, the Jury would determine the appropriate sanction in its absolute discretion.

3.3 FIXED FINANCIAL OFFENCES

Fixed Financial Offences are Reportable Offences which attract a fixed financial sanction only (as per the following table).

FIXED FINANCIAL OFFENCES	BASE SANCTION (EARLY GUILTY PLEA SANCTION IN BRACKETS)		
	FIRST OFFENCE	SECOND OFFENCE	THIRD & SUBSEQUENT OFFENCES
Attempt to strike, kick, trip	\$1500 (\$1000)	\$2500 (\$1500)	\$4000 (\$2500)
Careless contact with an Umpire	\$1500 (\$1000)	\$2500 (\$1500)	\$4000 (\$2500)
Spitting at another Player	\$2500 (\$1500)	\$3500 (\$2000)	\$5000 (\$3500)
Melee	\$1500 (\$1000)	\$2500 (\$1500)	\$4000 (\$2500)
Instigator of melee	\$2500 (\$1500)	\$3500 (\$2000)	\$5000 (\$3500)
Staging	Written Reprimand	\$1500 (\$1000)	\$2500 (\$1500)
Wrestling	\$1500 (\$1000)	\$2500 (\$1500)	\$4000 (\$2500)
Abusive, insulting or obscene language towards or in relation to an Umpire	\$2500 (\$1500)	\$3500 (\$2000)	\$5000 (\$3500)
Obscene gesture	\$1500 (\$1000)	\$2500 (\$1500)	\$4000 (\$2500)
Disputing decision	\$1500 (\$1000)	\$2500 (\$1800)	\$4000 (\$3000)
Pinching	\$1500 (\$1000)	\$2500 (\$1800)	\$4000 (\$3000)
Interfering with Player kicking for goal	\$1000 (\$500)	\$1500 (\$1000)	\$2500 (\$1500)
Hitting roof	\$1000 (\$500)	\$1600 (\$1000)	\$2500 (\$1500)
Shaking goal post	\$1000 (\$500)	\$1500 (\$1000)	\$2500 (\$1500)
Time wasting	\$1000 (\$500)	\$1500 (\$1000)	\$2500 (\$1500)
Prohibited boots, jewellery, equipment	\$1000 (\$500)	\$1500 (\$1000)	\$2500 (\$1500)
Not leaving playing surface	\$1000 (\$500)	\$1500 (\$1000)	\$2500 (\$1500)
Any other act of misconduct that is not a Classifiable Offence or Direct Tribunal Offence	The financial sanction for a first, second, third or subsequent act of misconduct will be determined by the MRP in its absolute discretion.		

The increased sanctions for second, third or subsequent Fixed Financial Offences will only apply where a Player has been found guilty of the same Fixed Financial Offence within the previous two AFL Years.

3.4 MULTIPLE REPORTABLE OFFENCES IN THE ONE MATCH

If a Player is found guilty of two or more Reportable Offences arising from the one match, the sanctions for those offences will be added together to form the final sanction handed to that Player. Note that any bad record will also be taken into account. If any of the two or more Reportable Offences arising from the one match have a base sanction of a fine, they will be considered individually in the application of section 3.1(e).

Example A: Player Clarke is charged with two offences – Kneeing (base sanction of two matches) and Striking (base sanction of three matches). Player Clarke is found guilty of the two charges after challenging them at the Tribunal. The result would mean that Player Clarke would be suspended for five matches.

Example B: Player Smith is charged with two offences – Rough Conduct (base sanction of two matches) and Striking (base sanction of three matches). Player Smith previously received suspensions totalling four matches for other Reportable Offences he was guilty of in the previous two AFL Years. Smith is found guilty of the current charges after challenging them at the Tribunal. The result would mean that Player Smith would be suspended for seven matches.

3.5 OFFENCES INCURRED IN THE AFL GRAND FINAL

Reportable Offences which arise out of the AFL Grand Final will attract the same base sanction as normal except as follows:

- » If the offence ordinarily attracts a base sanction of three or more matches, then it will be referred directly to the Tribunal, where the Tribunal will determine the appropriate sanction in its absolute discretion (penalty at large).
- » The base sanction for the following Fixed Financial Offences will be doubled if such offences are incurred during the AFL Grand Final.
 - » Engaging in a Melee
 - » Instigator of a Melee
 - » Engaging in Wrestling



4. FURTHER EXPLANATION OF KEY TERMS AND ISSUES

4.1 AFL REGULATIONS

These Tribunal Guidelines endeavour to provide guidance in respect of the AFL Regulations. The Reportable Offences are governed by and in accordance with Appendix 1 of AFL Regulations. Terms defined in AFL Regulations will have the same meaning in these Tribunal Guidelines unless the context requires otherwise.

4.2 DETERMINING THE CLASSIFICATION OF CLASSIFIABLE OFFENCES

As noted in section 3.1 of these Tribunal Guidelines, in order to determine the appropriate sanction for a Classifiable Offence, the MRP will seek to determine whether:

- » The Conduct is Intentional or Careless;
- » The Impact is Severe, High, Medium or Low; and
- » The Contact is High/Groin or to the Body.

Video examples of incidents relating to Conduct, Impact and Contact have been distributed to AFL Clubs and example classifications (based on incidents that arose in 2014) are also contained in Schedule 1 of these Tribunal Guidelines.

The following is a guide to how the MRP and Tribunal will interpret these three factors.

(A) CONDUCT

In considering a report in respect of a Classifiable Offence, there will be a determination as to whether the Player's conduct has been Intentional or Careless. If the Player's conduct is found to fall short of being careless no charge will be laid against the Player.

Intentional conduct

A Player intentionally commits a Classifiable Offence if the Player engages in the conduct constituting the Reportable Offence with the intention of committing that offence. An intention is a state of mind. Intention may be formed on the spur of the moment. The issue is whether it existed at the time at which the Player engaged in the conduct.

Whether or not a Player intentionally commits a Reportable Offence depends upon the state of mind of the Player when he does the act with which he is charged. What the Player did is often the best evidence of the purpose he had in mind. In some cases, the evidence that the act provides may be so strong as to compel an inference of what his intent was, no matter what he may say about it afterwards. If the immediate consequence of an act is obvious and inevitable, the deliberate doing of the act carries with it evidence of an intention to produce the consequence.

For example, a strike will be regarded as Intentional where a Player delivers a blow to an opponent with the intention of striking him.

The state of a Player's mind is an objective fact and has to be proved in the same way as other objective facts. The whole of the relevant evidence has to be considered. If the matter is heard by the Tribunal, the Tribunal Jury will weigh the evidence of the Player as to what his intentions were along with whatever inference as to his intentions can be drawn from his conduct or other relevant facts. The Player may or may not be believed by the Tribunal Jury. Notwithstanding what the Player says, the Tribunal Jury may be able to conclude from the whole of the evidence that he intentionally committed the act constituting the Reportable Offence.

Careless conduct

A Player's conduct will be regarded as Careless where his conduct is not intentional, but constitutes a breach of the duty of care owed by the Player to all other Players. Each Player owes a duty of care to all other Players, Umpires and other persons (as applicable) not to engage in conduct which will constitute a Reportable Offence being committed against that other Player, Umpire or other person (as applicable). In order to constitute such a breach of that duty of care, the conduct must be such that a reasonable

Player would not regard it as prudent in all the circumstances. Further, a Player will be careless if they breach of their duty to take reasonable care to avoid acts which can be reasonably foreseen to result in a Reportable Offence.

An example of careless conduct would be where a Player collides with another Player who has taken a mark and where contact occurs just after the mark has been taken. The offending Player has a duty of care to avoid any contact which would constitute a Reportable Offence by slowing his momentum as much as he reasonably can and a failure to do so constitutes carelessness.

(B) IMPACT

Consideration will be given as to whether the impact is Low, Medium, High or Severe. In determining the level of impact, regard will be had to several factors.

Firstly, consideration will be given the extent of force and in particular, any injury sustained by the Player who was offended against.

Secondly, strong consideration will be given to the potential to cause serious injury. For example, contact to the head will generally have more impact than contact to the body if the force used is similar. The potential to cause serious injury is also relevant in the following cases:

- » Any head-high contact with a Player who has his head over the ball, particularly when contact is made from an opponent approaching from a front-on position; forceful round-arm swings that make head-high contact to a Player in a marking contest, ruck contest or when tackling;
- » Spear tackles; and
- » Driving an opponent into the ground when his arms are pinned.

Thirdly, consideration will be given not only to the impact between the offending Player and the Victim Player, but also any other impact to the Victim Player as a result of such impact. By way of an example, where a Victim Player as a result of the impact from the offending Player is pushed into the path of a fast-moving third Player, the impact to the Victim Player may be classified as High or Severe, even though the level of impact between the offending Player and the Victim Player was only Low or Medium.

In addition, consideration will be given to the body language of the offending Player in terms of flexing, turning, raising or positioning the body to either increase or reduce the force of impact. The absence of injury does not preclude the classification of impact as Severe.

It should be noted that Low impact (which is the minimum impact required for a Classifiable Offence to constitute a Reportable Offence) requires more than just a negligible impact. Most Reportable Offences require at least low impact and a collision or incident involving negligible force will not ordinarily result in a charge.

(C) CONTACT

The MRP will consider whether Contact to the Victim Player was High/to the Groin or to the Body. In the interests of protecting the health and welfare of Players, sanctions for head-high contact and contact to the groin will be more severe.

High contact is not limited to contact to the head and includes contact above the shoulders.

Contact to the Groin includes contact to the crease or hollow at the junction of the inner part of each thigh with the trunk together with the adjacent region and including the testicles.

Where contact is both High and to the Body, the MRP will classify the contact as High.

Contact shall be classified as High or to the Groin where a Player's head or groin makes contact with another Player or object such as the fence or the ground as a result of the actions of the offending Player. By way of example, should a Player tackle another Player around the waist and as a result of the tackle, the tackled Player's head made 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.

4.3 REPORTABLE OFFENCES

The Laws set out a non-exhaustive list of specific Reportable Offences in Law 19.2.2 as well as providing for various categories of permitted contact which shall not constitute a Reportable Offence (for example legally using a hip, shoulder, chest, arms or open arms, providing the football is no more than five metres away, and contact which is incidental to a marking contest where a Player is legitimately marking or attempting to mark the football).

The Laws define certain offences such as Charging and Engaging in a Melee, however they provide that in interpreting Reportable Offences, words, terms or phrases which are not defined in the Laws shall be given their ordinary meaning. The following provides some further guidance in relation to what constitutes particular Reportable Offences.

(A) STRIKING, KICKING

Striking and kicking are interpreted in accordance with their commonly understood meaning. A strike would usually be by hand or arm and will generally not apply to other contact using the body. A kick is generally applied to contact by foot or leg.

A strike or kick, as opposed to an attempt to strike or kick, requires more than negligible impact. Where a strike, for example, does not make more than negligible contact, it is still open to the MRP to charge a Player for Attempting to Strike where it is satisfied that notwithstanding the result, the intention was to connect with greater force.

An attempt to strike, kick or trip shall be allocated a financial sanction for first offence.

(B) CLASSIFICATION OF CERTAIN STRIKES

For the purpose of these Guidelines all Players should note that the following factors are considered when determining the classification of a Striking offence:

Intent: Notwithstanding any other part of these Guidelines, the fact that an act of striking occurred behind the play or off the ball or during a break in play or with a raised forearm or elbow is usually conclusive that the strike was intentional.

Impact: Notwithstanding any other part of these guidelines, any Careless or Intentional strike which is of an inherently dangerous kind and/or where there is a potential to cause serious injury (such as a strike with a raised elbow or forearm) will usually not be classified as "Low Impact" even though the extent of the actual physical impact may be low. Such strikes will usually be classified at a higher level commensurate with the nature and extent of the risk of serious injury involved.

(C) MISCONDUCT

Misconduct has a wide meaning and generally is any conduct which would be regarded as unacceptable or unsportsmanlike by other participants in the match or where it had the effect or potential to prejudice the reputation of any person, club or the AFL or to bring the game of football into disrepute.

Serious misconduct offences will be referred directly to the Tribunal. However any other act of misconduct will be subject to a Fixed Financial Sanction to be determined by the MRP.

(D) FORCEFUL FRONT-ON CONTACT

Bumping or making forceful contact to an opponent from front-on when that opponent has his head down over the ball is a Reportable Offence. Unless Intentional, such actions will be deemed to be Careless, unless:

- » The Player was contesting the ball and did not have a realistic alternative way to contest the ball; or
- » The bump or forceful contact was caused by circumstances outside the control of the Player which could not reasonably be foreseen.

Note: A Player can bump an opponent's body from side-on but any contact forward of side-on will be deemed to be front-on. A Player with his head down in anticipation of winning possession of the ball or after contesting the ball will be deemed to have his head down over the ball for the purposes of this law.

(E) ROUGH CONDUCT

Rough Conduct is interpreted widely in relation to any contact which is unreasonable or unnecessary in the circumstances. It is a Reportable Offence

to Intentionally or carelessly engage in rough conduct against an opponent which in the circumstances is unreasonable.

Without limiting the wide interpretation of Rough Conduct, particular regard shall be had to the following officially recognised forms of Rough Conduct.

1. Rough Conduct (High Bumps)

The AFL Regulations provide that a Player will be guilty of rough conduct where in the bumping of an opponent (whether reasonably or unreasonably) the Player causes forceful contact to be made with any part of his body to an opponent's head or neck unless:

- » The Player was contesting the ball and did not have a realistic alternative way to contest the ball; or
- » The forceful contact to the opponent's head or neck was caused by circumstances outside the control of the Player which could not be reasonably foreseen.

In the interests of Player safety, the purpose of the rule dealing with high bumps is to reduce, as far as practicable, the risk of head injuries to Players and this purpose needs to be kept firmly in mind by all Players and will guide the application of the rule.

For the purpose of these guidelines, head clashes may be considered a reasonably foreseeable consequence arising from a bump. Accordingly, Players who elect to bump, resulting in a head clash, may be liable for a sanction if the level of impact is above the threshold required to constitute a Reportable Offence.

In determining the level of impact (if any) of a bump which causes a head clash, regard may be had to one or more of the following:

- » Whether the degree of force applied by the Player bumping was excessive for the situation;
- » Whether the Player being bumped was actively involved in the passage of play;
- » The distance the Player applying the bump has run to make contact;
- » Whether the Player being bumped is in a position to protect himself;
- » Whether the Player bumping jumps or leaves the ground to bump; and
- » Any alternatives available to the Player instead of applying a bump.

2. Rough Conduct (Bumps to the Body)

It should be noted that even if the rule relating to high bumps does not apply (for example in the case of a bump to the body), a Player may still be guilty of Rough Conduct if his conduct was unreasonable in the circumstances. In determining whether any bump was unreasonable in the circumstances, without limitation, regard may be had to whether:

- » The degree of force applied by the person bumping was excessive for the situation;
- » The Player being bumped was in a vulnerable position; and
- » The Player could reasonably expect the contact having regard to his involvement in play or ability to influence the contest.

3. Rough Conduct (Dangerous Tackles)

The application of a tackle may be considered Rough Conduct which is unreasonable in the circumstances. In determining whether the application of a tackle constitutes a Reportable Offence and whether the offence is Careless or Intentional, without limitation, regard may be had to the following factors, whether:

- » The tackle consists of more than one action, regardless of whether the Player being tackled is in possession of the ball;
- » The tackle is of an inherently dangerous kind, such as a spear tackle or a tackle where a Player is lifted off the ground;
- » An opponent is slung or driven into the ground with excessive force.

4. Rough Conduct (Contact Below the Knees)

Under the Laws of Australian Football, it is prohibited to make contact with an opponent below the knees. Players who keep their feet are vulnerable to serious injury from opponents who lunge, dive or slide toward them and make contact below the knees. It is the purpose of these guidelines to protect such Players from the risk of foreseeable injury. A Player may be guilty of

Rough Conduct if he makes contact below the knees of an opponent and does so in a manner which is unreasonable in the circumstances. It is not a defence that the Player who made the prohibited contact was contesting the ball or was first to the ball. The primary responsibility of Players with respect to contact below the knees is to avoid the risk of foreseeable injury. In determining whether any contact below the knees is unreasonable in the circumstances, regard may be had to:

- » The degree of momentum and/or force involved in the contact;
- » Whether the Player causes contact below the knees by sliding with his foot, feet, knee or knees in front of him;
- » Whether the opposition Player was in a position that was vulnerable to contact below the knees (for example, standing over the ball or approaching from the opposite direction); and
- » Whether the Player making contact had any realistic alternative ways of approaching the contest or situation.

It should be noted that even where the contact is not made below the knees of the opposition Player but to another part of an opponent's body, a Player may still be guilty under the general definition of Rough Conduct for making unreasonable contact by sliding or dropping in to an opponent with their knees or feet first.

(F) INSTIGATOR OF A MELEE

Instigator of a Melee is defined as where the Player's conduct results in retaliatory action which leads to a melee. The offence of Instigator of Melee is in addition to the offence of Engaging in a Melee which may have the effect of a Player being found guilty of both offences.

(G) STAGING

A Player will be reported for staging. Staging can include excessive exaggeration of contact in an unsportsmanlike manner. Staging shall be a Reportable Offence as it may:

- » Affect umpires' decision-making;
- » Incite a melee; and/or
- » Not be in the spirit of the game (unsportsmanlike);

If a Player is reprimanded for a first offence of staging the reprimand will be valid for the remainder of his career.

(H) TRIPPING

In determining whether a trip is above the level of impact to constitute a Reportable Offence, regard will be had to how fast the opponent was moving, whether the trip was by hand or by foot/leg and whether contact was made with a swinging motion.

4.4 PROCEDURAL AND OTHER MATTERS

(A) AFL YEAR

A reference to any previous period of AFL Years will be a reference to the period calculated retrospectively from the round in which a Player has been found guilty of a Reportable Offence or Reportable Offences. In the case of the finals, it is calculated by reference to the same week number in the previous finals series.

Other individual matches (such as representative matches, exhibition matches or practice matches which are subject to AFL Regulations) are calculated retrospectively from the date of the match or reprimand for those matches. For instance, where a Player has been found guilty of a Reportable Offence or Reportable Offences in round 10 in 2015, the previous period of two AFL Years shall be the period commencing from and including round 10 in 2013.

(B) CHARGES IN THE ALTERNATIVE

Generally, the MRP will not charge a Player for a specific offence and another offence in the alternative. Regulation 19.11(b) provides that the Tribunal may allow charges to be amended at any time during the hearing before the Tribunal and the MRP expects that those rules will apply to ensure that in an appropriate case, based on the evidence before the Tribunal, a charge will be amended if necessary. To avoid any doubt, the power to amend a charge includes the power to substitute another charge.

(C) CHARGES REFERRED TO THE TRIBUNAL

The MRP shall set out details where applicable of the relevant factors including Conduct, Impact and Contact in respect of charges referred to the Tribunal.

Where a Player has the opportunity to take an early plea and does not do so, the Tribunal will hear the matter and, while there is a presumption that the Tribunal will adopt the classification of the MRP, where the Tribunal determines that the relevant Reportable Offence should be classified differently, it will apply the consequences according to that classification.

Where there are exceptional and compelling circumstances which make it inappropriate or unreasonable to apply financial or suspension sanctions that would usually apply to a particular Classified Offence, the Tribunal may impose any sanction it considers appropriate.

Exceptional and compelling circumstances may arise where:

- (i) A Player has an exemplary record;
- (ii) A Reportable Offence was committed in response to provocation;
- (iii) A Reportable Offence was committed in self-defence;
- (iv) There are multiple Reportable Offences that arise from the same event or course of conduct.

(D) MITIGATING CIRCUMSTANCES

In determining the appropriate classification to be given to a Reportable Offence, the MRP will not take into account any provocation or whether a Player was acting in self-defence. However, while the Tribunal will generally apply the sanction corresponding to a particular offence, the Tribunal has the power in exceptional and compelling circumstances for the Tribunal to substitute another outcome if it is appropriate in all the circumstances to do so.

(E) INJURY

The MRP and the Tribunal can inquire and receive information as to the nature and extent of any injury suffered by a Player in relation to a Reportable Offence. The nature and extent of injury may be a relevant factor in determining the level of Impact, Contact and in some instances, the nature of the Conduct. Clubs must provide a medical report within three hours of a request to do so.

(F) OTHER DIRECT REFERRALS TO THE TRIBUNAL

In addition to the Direct Tribunal Offences referred to in section 3.2, the MRP or the General Manager – Football Operations may, in their absolute discretion having regard to all the circumstances, refer a notice of charge to the Tribunal for determination (see Regulation 16.13(i)(vi)). In such circumstances the Player will not have the option of an early plea, however the Tribunal may favourably consider a Player's guilty plea (noting that the Player will not be automatically entitled to a reduced sanction).

The MRP may refer a matter to the Tribunal under Regulation 16.13(i)(vi) where, for example, it is not able to determine a matter based on the evidence before it. It is noted that the MRP has investigative powers for the purpose of ensuring so far as is possible and regardless of the apparent conclusiveness or otherwise of any video, that the MRP can still classify offences, as it sees fit.

The MRP may also refer a matter to the Tribunal if it considers it appropriate to do so based on the circumstances of the offence, the record of any Player involved, any suspected mitigating factors or other unusual features of any report such as a hit 'off the ball' on an unsuspecting opponent.

(G) INTRA-CLUB MATCHES

The AFL will not report Players in respect of conduct which occurs in intra-club matches, except where an incident relates to an umpire (in which case the MRP will deal with this matter as it sees fit).

(H) FINANCIAL SANCTIONS

First and second-year primary list Players, Players on minimum wages and rookie-list Players can be fined a maximum of 50% of their match payment for their First Fixed Financial Sanction.

5. GUIDELINES FOR TRIBUNAL HEARINGS

5.1 INTRODUCTION

- » The AFL Tribunal (the Tribunal) is established pursuant to the AFL Regulations (the Regulations) to hear and determine charges brought before it under the Regulations.
- » The guidelines contained in this section 5 have been made pursuant to Regulation 19.3(g) of the Regulations and are published to guide AFL Clubs, Players and their representatives in relation to various aspects of the operation of the Tribunal. They are also used to guide the Tribunal Jury in relation to legal matters they may be required to consider.
- » These guidelines support the Regulations but are not a substitute for them and may from time to time be varied or expanded to cover other matters. Before having any involvement with the Tribunal, Clubs, Players and their representatives should ensure that they are conversant with the relevant Laws of the Game and the Regulations, particularly Regulation 19 which governs the operation of the Tribunal.

5.2 EVIDENCE OF VICTIM PLAYER

- » Regulation 19.15(a) of the Regulations provides that at any hearing before the Tribunal, no person shall call evidence from a person against whom a Reportable Offence is alleged to have been committed (Victim Player) without leave of the Chairman.
- » The Regulation provides that if the Victim Player gives evidence the Chairman may direct the Tribunal Jury members in relation to the weight to be given to such evidence. The effect of this rule is to be distinguished from the circumstance in which another Player, including for example the Victim Player, wishes to respond to an allegation that is reasonably likely to reflect negatively on the sportsmanship of that Player.
- » The following is provided to guide Clubs, Players and their Representatives in relation to this Regulation regarding the calling of the Victim Player.
- » Under the previous Tribunal Regulations the Victim Player gave evidence. However, it was the experience of those proceedings that generally that evidence was not of assistance to a fair, credible and expeditious determination of the matter where the evidence of umpires and video replay were available.
- » This is because experience has shown that football Players have a strong view that loyalty to other football Players requires that they should not be too eager to come forward and blame other Players. Football is a game where team spirit and loyalty are important. Many Players take the view that they should always show loyalty to another professional footballer, even if from another team and even if they were the subject of unfair conduct. Some Players might not be willing to admit that another Player has hurt them. The Tribunal is not a Court of Law where people are compelled under penalty to give evidence and to do so on oath.
- » Consequently, the Tribunal reforms and new Rules proceed on the basis that Victim Players will generally not be called to give evidence, with leave being required under Regulation 19.15(a) for such evidence to be given.
- » The discretion under Regulation 19.15(a) cannot be exercised arbitrarily. The determining factor is whether the interests of justice require that leave be given.
- » Thus, leave will be given to call a Victim Player to give evidence if the Chairman is satisfied that the interests of justice require that leave be given.
- » In particular, in the case of leave being sought by a Player who has been charged, leave will be granted if the Chairman is satisfied that the Player's case will be prejudiced or disadvantaged if the Victim Player's evidence is not called.
- » Thus, in seeking leave, it will be necessary to be able to outline the evidence it is anticipated the Victim Player will give if called and how the Player's case will be prejudiced or disadvantaged if that evidence is not called. It is important that contact be made with the Victim Player to ascertain what evidence that Player will be able to give. Experience has revealed that this has not always been done. The Regulations do not prohibit contact being made with a Victim Player to ascertain his account of the incident. They do preclude any attempt to influence that account, to put words into his mouth. Leave

will not be given to enable fishing exercises to be undertaken in the hope that some evidence of assistance might be forthcoming from the Victim Player.

- » Should it be intended to seek leave, details of the basis of the application should be provided to the Secretary of the Tribunal by 11am on the day of the hearing. Unless otherwise requested, the Chairman will determine the application at the commencement of the hearing. To be able to determine the application before the hearing clear and comprehensive details of the basis of the application need to be provided.
- » Under the previous Guidelines Victim Player evidence has usually been given by Telephone link. Experience has shown that the giving of evidence in that way has generally not been satisfactory. It does not enable the Victim Player to be shown any video footage of the incident and be questioned about it. It does not enable the Victim Player evidence to be properly tested and evaluated.
- » On the making of an application for leave to call a Victim Player, the Secretary of the Tribunal will request the Player pursuant to Regulation 19.17(a) of the Regulations to appear before the Tribunal. That appearance must be personally or by video link. If the application for leave is not determined until the commencement of the hearing the Victim Player will need to be at the hearing or available on video link to give evidence if the application is granted.
- » Determining the application before the hearing will avoid inconveniencing the Victim Player if the leave is not granted. However it is reiterated that sufficient details need to be provided with the application for this to be done.
- » Pursuant to Regulation 19.17(b), the Chairman may excuse the Victim Player from appearing personally or by video link if the chairman is of the opinion that the Player is suffering from any injury or medical condition that would prevent the Player from attending. If the Victim Player was so excused his evidence can be taken by telephone link. Particulars of any application to be excused pursuant to Regulation 19.17(b) should be provided to the Secretary of the Tribunal by 11am on the day of the hearing. These particulars should provide sufficient details of the injury or medical condition, preferably through a Doctor's Certificate to enable the Chairman to properly consider the application and decide whether the Player should be excused.
- » Tribunal Counsel can apply to call a Victim Player to give evidence and leave will be given if the interests of justice require it. This could include cases where there is no video of the incident or the Player's defence involves an allegation of illegal, improper or unsportsmanlike conduct by the Victim Player and fairness requires that that Player's account be heard (see next page).

5.3 ALLEGATION AGAINST OTHER PLAYER – FAIRNESS TO THAT PLAYER

If an allegation is to be made of illegal, improper or unsportsmanlike conduct on the part of another Player as part of a defence case, the Player making the allegation must inform the other Player and the Tribunal Secretary in writing by 11am on the day of the Tribunal hearing of the substance of the allegation. Subject to the guideline relating to Victim Player evidence, if fairness requires, such a Player may be called by Tribunal Counsel to give evidence.

5.4 EVIDENCE OF UMPIRES

Tribunal Counsel will not necessarily call the umpires. Should it be desired that an umpire be called, the Secretary of the Tribunal should be informed by 11am on the day of the hearing. He will then arrange for the attendance of the umpire either personally or by video. In these circumstances, the umpire would then be called at the hearing by Tribunal Counsel.

5.5 VIDEO EVIDENCE OF OTHER INCIDENTS

- » The Player may rely before the Tribunal on any incident contained in that AFL Season's composite video (DVD) that is said to be comparable to the incident in respect of which the Player is charged or otherwise relevant to a matter in issue.
- » It will not be necessary to obtain the leave of the Chairman to adduce such evidence. However, the Chairman may give some directions to the Tribunal Jury as to the use of such evidence. Subject to such directions

it will be a matter for the Tribunal Jury as to the assistance such evidence provides and the weight to be given to it.

- » Adequate notice should be given to the Secretary of the Tribunal of any incident on the 2015 DVD sought to be relied upon so he can arrange for that video evidence to be ready to be played at the hearing.
- » The Tribunal will not receive video evidence of any other incidents.

5.6 SANCTION – EXCEPTIONAL AND COMPELLING CIRCUMSTANCES

- » Regulation 19.7(a)(ii) provides that where there are exceptional and compelling circumstances which would make it inappropriate to apply

the consequences in Appendix 1 to the classification that has been determined by the Tribunal Jury for an offence the Tribunal Jury may impose such sanction or sanctions as they in their absolute discretion think fit.

- » Should it be intended, in the event of the Tribunal Jury determining a classification for an offence, to contend that there are exceptional and compelling circumstances which would make it inappropriate to apply the consequences in Appendix 1 to the classification particulars of the matters it would be contended constitute such circumstances should be provided to the Secretary of the Tribunal by 11am on the day of the hearing.



6. DIRECTIONS FOR TRIBUNAL JURY MEMBERS

6.1 GENERAL DIRECTIONS

In all cases the Tribunal Jury will be instructed to apply the following directions:

- » Members of the Jury, you are the only judges of the facts in this case. No one else. You decide the case upon the evidence – the oral evidence from any witness, the video evidence and any documentary evidence.
- » You do not decide the case according to prejudice, bias, sympathy, gossip or anything else. If there has been any television, radio or press publicity, you should totally disregard that. You should totally disregard any comment about the case by any coach, club member, official, commentator or any other person.
- » It is your duty to act independently and impartially.
- » You consider all the evidence in the case. You give each part of it the importance which you think as a judge it should be given. You accept what you believe is true and should be accepted, reject what you disbelieve – and in accordance with the weight you give to such evidence, as you accept, you determine what in your judgement are the true facts.
- » In assessing the evidence and determining the facts you make use of your common sense, your experience of life. You have each had substantial experience over a long period of time as footballers. You also make use of that experience. You judge the evidence fairly and impartially in the light of your common sense, your experience of life and your experience as footballers.
- » Any comment or argument of Tribunal Counsel and the Player's Advocate or Counsel is of course not evidence. It is intended to help you form a view of the evidence, but no more. If you disagree with it you discard it. Any comment

or argument I might put to you about the facts – as distinct from these directions of law – is in the same position as that put by counsel.

- » You must be satisfied on the Balance of Probabilities that any alleged Reportable Offence or Grading has been established against the Player. That is that you are clearly satisfied that it is more probable than not that he committed the alleged offence or that the alleged Grading applies. The Player does not have to establish anything.
- » Although your verdict does not have to be unanimous you should endeavour to be unanimous – that is all agreed. However if you cannot all agree, your verdict can be by a majority of you. That is where two of you are agreed.

6.2 SPECIFIC DIRECTIONS

These will be given when appropriate to do so. Matters that may be the subject of specific directions where relevant include:-

- » Elements of the Reportable Offence
- » Conduct
- » Impact
- » Contact
- » Evidence of Victim Player
- » Absence of reaction by umpires or adjacent Players
- » Exemplary record
- » Prior offences
- » Attempt to commit a Reportable Offence
- » Exceptional and compelling circumstances
- » Video evidence

SCHEDULE 1: FULL LIST OF REPORTABLE OFFENCES

CLASSIFIABLE OFFENCES
Striking
Kicking
Kneeing
Stomping
Charging
Rough conduct
Forceful front-on contact
Head-butt or contact using head
Eye-gouging / unreasonable or unnecessary contact to the eye region
Unreasonable or unnecessary contact to the face
Unreasonable or unnecessary contact with an injured player
Scratching
Tripping
DIRECT TRIBUNAL OFFENCES
Intentional contact with an Umpire
Striking an Umpire
Spitting on or at an Umpire
Spitting on another Person
Attempting to strike an Umpire
Behaving in an abusive, insulting or obscene manner towards or in relation to an Umpire
Any Classifiable Offence or Fixed Financial Offence which attracts a base sanction that the MRP finds inappropriate
Any other act of serious misconduct which the MRP considers appropriate to refer to the Tribunal
FIXED FINANCIAL SANCTIONS
Attempt to strike, kick, trip
Careless contact with an Umpire
Spitting at another Player
Melee
Instigator of Melee
Staging
Wrestling
Using abusive, insulting, or obscene language towards or in relation to an Umpire
Obscene gesture
Disputing decision
Pinching
Interfering with Player kicking for goal
Hitting roof
Shaking goal post
Time wasting
Prohibited boots, jewellery, equipment
Not leaving playing surface
Any other act of misconduct that is not a Classifiable Offence or a Direct Tribunal Offence

SCHEDULE 2: EXAMPLES OF CLASSIFIABLE OFFENCES

The following incidents from 2014 are examples of Classifiable Offences which will be processed in accordance with the Classification Table displayed in section 3.1(b) of these guidelines. Vision of these offences is also available in the 2015 Tribunal DVD.

Example 1 – Scott Thompson on Travis Cloke

Round 5, 2014

Offence: Striking

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Reckless Conduct » Low Impact » Body Contact 	<ul style="list-style-type: none"> » Careless Conduct » Low Impact » Body Contact
Base Sanction = 80 Demerit Points (Reprimand)	Base Sanction = \$1500
Final Penalty = Accepted a one-match suspension due to applicable Carry-Over Points	Final Penalty = Could accept a \$1000 fine with an early guilty plea

Example 2 – Jeremy Cameron on Dylan Grimes

Round 10, 2014

Offence: Striking

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » Body Contact 	<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » Body Contact
Base Sanction = 125 Demerit Points (One match)	Base Sanction = \$1500
Final Penalty = Accepted a reprimand and 94 Carry-Over Points with an early guilty plea	Final Penalty = Could accept a \$1000 fine with an early guilty plea

Example 3 – Tom Derickx on Scott Pendlebury

Round 2, 2014

Offence: Rough Conduct

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Reckless Conduct » Low Impact » Body Contact 	<ul style="list-style-type: none"> » Careless Conduct » Low Impact » Body Contact
Base Sanction = 125 Demerit Points (One match)	Base Sanction = \$1500
Final Penalty = Accepted a reprimand and 94 Carry-Over Points with an early guilty plea	Final Penalty = Could accept a \$1000 fine with an early guilty plea

Example 4 – Paul Duffield on Chad Wingard

Round 8, 2014

Offence: Rough Conduct

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Negligent Conduct » Low Impact » High Contact 	<ul style="list-style-type: none"> » Careless Conduct » Low Impact » High Contact
Base Sanction = 125 Demerit Points (One match)	Base Sanction = \$1500
Final Penalty = Accepted a reprimand and 70 Carry-Over points due to an early guilty plea and good record	Final Penalty = Could accept a \$1000 fine with an early guilty plea

Example 5 – Tom Murphy on Jake Stringer

Round 17, 2014

Offence: Kneeing

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » Body Contact 	<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » Body Contact
Base Sanction = 225 Demerit Points (Two matches)	Base Sanction = \$1500 fine
Final Penalty = Accepted a one-match suspension with an early guilty plea and applicable good record	Final Penalty = Could accept a \$1000 fine with an early guilty plea

Example 6 – Nat Fyfe on Jordan Lewis

Round 21, 2014

Offence: Striking

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » High Contact 	<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » High Contact
Base Sanction = 225 Demerit Points (Two matches)	Base Sanction = Two matches
Final Penalty = Appeal Board upheld a two-match suspension	Final Penalty = Could accept a two-match suspension with an early guilty plea due to an applicable bad record

Example 7 – Mitch Robinson on Taylor Adams

Round 15, 2014

Offence: Striking

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » High Contact 	<ul style="list-style-type: none"> » Intentional Conduct » Low Impact » High Contact
Base Sanction = 225 Demerit Points (Two matches)	Base Sanction = Two matches
Final Penalty = Accepted a two-match suspension with an early plea due to an applicable bad record	Final Penalty = Could accept a two-match suspension with an early guilty plea due to an applicable bad record

Example 8 – Liam Jones on Dean Terlich

Round 8, 2014

Offence: Rough Conduct

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Negligent Conduct » High Impact » High Contact 	<ul style="list-style-type: none"> » Careless Conduct » High Impact » High Contact
Base Sanction = 325 Demerit Points (Three matches)	Base Sanction = Three matches
Final Penalty = Accepted a two-match suspension with an early guilty plea	Final Penalty = Could accept a two-match suspension with an early guilty plea

Example 9 – Steele Sidebottom on Maverick Weller

Round 11, 2014

Offence: Rough Conduct

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Reckless Conduct » High Impact » High Contact 	<ul style="list-style-type: none"> » Careless Conduct » High Impact » High Contact
Base Sanction = 425 Demerit Points (Four matches)	Base Sanction = Three matches
Final Penalty = Accepted a three-match suspension with an early guilty plea	Final Penalty = Could accept a two-match suspension with an early guilty plea

Example 10 – Ty Vickery on Dean Cox

Round 18, 2014

Offence: Striking

2014 CLASSIFICATION	2015 CLASSIFICATION
<ul style="list-style-type: none"> » Intentional Conduct » Severe Impact » High Contact 	<ul style="list-style-type: none"> » Intentional Conduct » Severe Impact » High Contact
Base Sanction = Tribunal (Direct referral)	Base Sanction = Tribunal (Direct referral)
Final Penalty = Four matches and 95 Carry-Over Points	Final Penalty = At the discretion of the Tribunal





TRIBUNAL 2015

Australian Football League
AFL House
140 Harbour Esplanade
Docklands VIC 3008
GPO Box 1449
Melbourne VIC 3001
visit afl.com.au