



 tribunal  
reforms 2005

# INTRODUCTION



In 2005, a number of reforms will apply to the AFL's Tribunal and reporting processes. The reforms have been based on a set of principles outlined as follows:

- to improve the efficiency of the Tribunal process by introducing a system whereby players can accept penalties without having to appear before the Tribunal;
- to promote transparency and certainty of the process by introduction of a publicly available table of offences;
- to achieve greater consistency in the reporting process by the introduction of a Match Review Panel through which all reports will proceed;
- to increase the number of respected former AFL players, coaches and umpires in the Tribunal and reporting processes;
- to reduce the damage done to the credibility of the Tribunal process by limiting victim player evidence;
- to increase the range of representation available to players and the AFL by permitting legal representation;
- to increase the efficiency of dealing with melee and wrestling reports;
- to update and improve the technology available to the Match Review Panel, and the Tribunal, to support the professionalism of the Tribunal and its reporting process;
- to lessen the financial barrier for appeals.

During the development of these reforms, representatives of the players, clubs, and umpires had significant input into the decision-making process. This document – which should be considered as a guide only – has been constructed to show how the entire process works from match day, through the tribunal hearing, and, if required, to the Appeal process.

On the following pages you will see the Guidelines under which the Match Review Panel, and the Tribunal will operate, several charts and graphics, outlining the operation of the Match Review Panel and the Tribunal. The charts and graphics include:

- At a glance graphic showing the complete Tribunal process;
- Definitions and procedures relating to the Match Review Panel, the Tribunal, and the rights of players;
- Categorising the Level of Offences;
- Table of Offences – Demerit Points;
- Points – Consequences;
- Table of Offences – Fixed Financial Sanctions

From pages 8-10 a pullout shows how charges are assessed. From page 12 several examples follow.

The Tribunal is a vital component of the AFL system. We don't expect suspended players, their clubs, or supporters to be pleased when a player is suspended, but we do ask that all stakeholders in our game to recognise that these structural reforms – underpinned by the integrity and independence of the AFL Tribunal – have been made for the long term benefit of the AFL competition.

## APPOINTMENTS

The AFL has made the following appointments to the Match Review Panel, and to the newly structured tribunal.

The Chair of the Match Review Panel is former Hawthorn premiership player and coach, Peter Schwab; members of the panel are former Carlton premiership player Andrew McKay, and former Grand Final umpire, Peter Carey.

The Chairman of the Tribunal is retired County Court Judge David Jones and retired County Court Judge John Hassett has been appointed his Deputy.

Members of the tribunal jury are: Michael Sexton, Richard Loveridge, Emmett Dunne, Wayne Schimmelbusch, Stewart Loewe and Barry Stoneham.

The counsel for the AFL Tribunal is Will Houghton, Q.C. and his assistant is Andrew Tinney. The AFL Investigations Officer is the former Assistant Commissioner of Police in Victoria and Queensland, Allan Roberts.

**ADRIAN ANDERSON**

AFL General Manager, Football Operations



**ADRIAN ANDERSON**  
AFL GENERAL MANAGER,  
FOOTBALL OPERATIONS



**DAVID JONES**  
CHAIRMAN,  
AFL TRIBUNAL

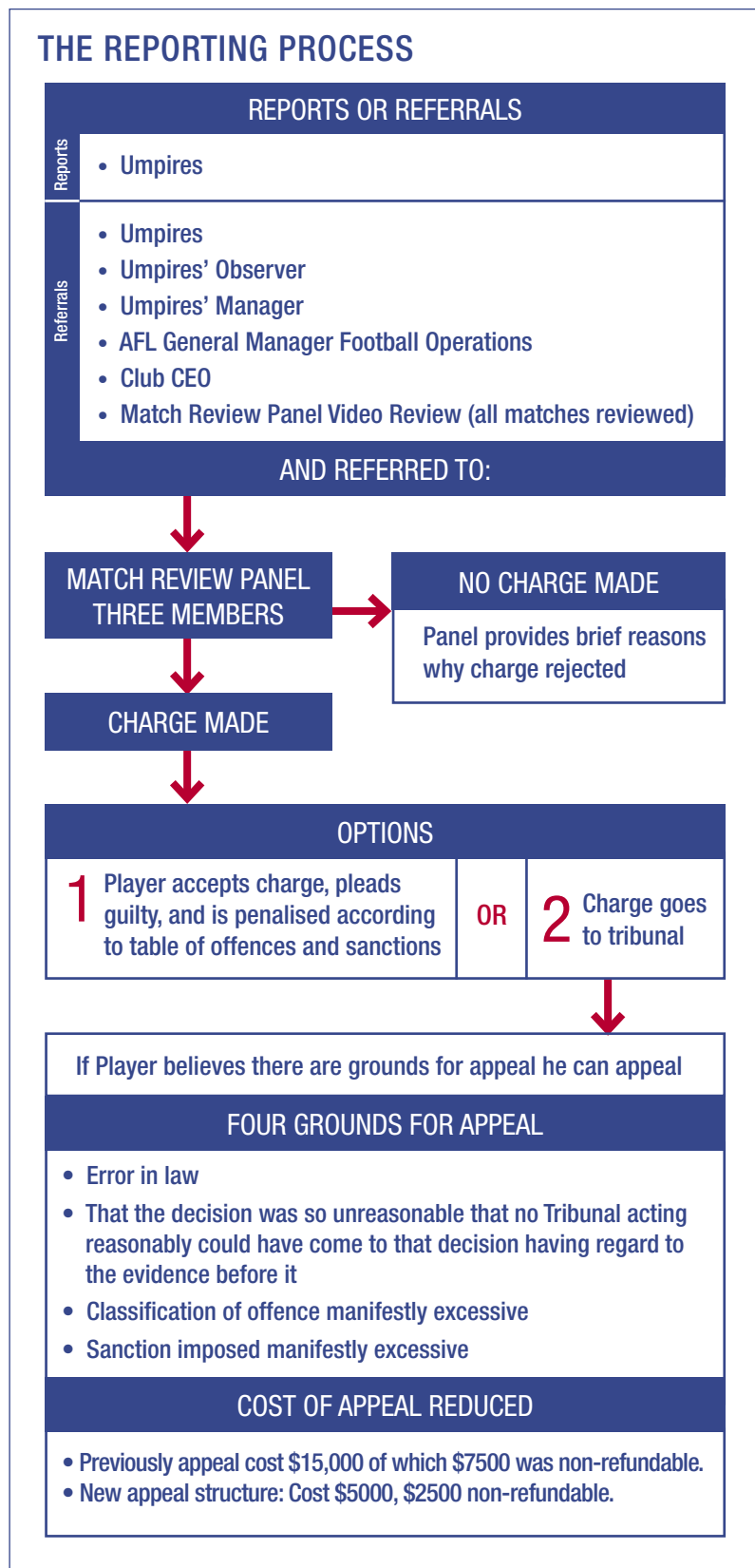


**PETER SCHWAB**  
CHAIRMAN,  
MATCH REVIEW PANEL

# HOW THE TRIBUNAL WORKS

The graphic below shows the process from report through to appeal. The reforms outlined in this document include the introduction of a Match Review Panel which will decide if charges are made and the penalty – based on the the Table of Offences - Demerit Points (page 9-10) – which a charged player may accept (without facing the Tribunal). The

structure of the Tribunal itself has also been varied: decisions will now be made by a three-person jury, of former AFL players. Other reforms include the allowance of legal representation, the victim player is no longer required to appear, and the role of the Chairman has been varied – to manage process and to decide points of law.



# GUIDELINES

The following Guidelines are published to assist AFL Clubs, Players, the media and members of the public to understand the way in which the Match Review Panel will approach the determination of Levels and Points attributable to the Reportable Offences set out in Appendix 1 to Player Rule 22 (“Appendix 1”).

In assessing the level of a Reportable Offence (1 – 5), the Match Review Panel will take into account four relevant factors:

- **conduct;**
- **impact;**
- **location; and**
- **contact.**

What follows is a guide to how the Match Review Panel will interpret these four factors.

## CONDUCT

A Reportable Offence occurs where 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 Player Rule 22.7.1(b), is committed. Many of the offences in the Laws require the offending contact to be either intentional, reckless or negligent. Those terms are not defined in the Laws and what follows is an explanation and some examples of how the Match Review Panel will apply those concepts.

Page one of Appendix 1 provides for the classification of conduct into either intentional, reckless or negligent conduct. Intentional acts are regarded as more serious than reckless acts and reckless acts are regarded as more serious than negligent acts. Accidental or mere careless conduct will not ordinarily constitute a Reportable Offence. Carelessness is a level of conduct less than negligence.

Negligence requires that a person must take due care to avoid acts which can be reasonably foreseen to be likely to cause illegal contact. Illegal contact is contact prohibited under the Laws and in particular Law 19.2.2.

While Australian Football is a contact sport, Players owe a duty of care to others not to cause illegal contact.

An example of negligent contact may 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 heavy contact by slowing his momentum as much as he reasonably can and a failure to do so constitutes negligence.

More serious conduct is known as recklessness, which means a situation where there is an obvious risk of illegal contact and a Player acts either not giving any thought to the possibility of contact or recognising that there was some risk involved and nonetheless goes on to make the contact.

In the example given above, if a Player collides with another Player who has marked the ball, in circumstances where there is some further time after the mark has been taken, and where he could have slowed his momentum to avoid contact and the risk of injuring the other Player, and the contacting Player did not seriously attempt to do so, then the act can best be described as reckless. In other words, if a Player charges into another Player who has marked the ball, in a way which indicates that the offending Player did not care whether illegal contact occurred or not, then the Player has acted recklessly.

An intentional act means an action which is deliberately done. Again in the example referred to above, a Player who cannons into another Player who has marked the ball but this time after the Umpire had signalled a mark, without slowing momentum, with eyes on the Player and with a body action designed to inflict injury onto the opponent, will be regarded as having intended the consequences of his action.

Eye contact may be a helpful factor in deciding whether an action is intentional on the one hand, or reckless or negligent on the other.

Generally the more severe the force, the more likely the contact will be intentional or reckless.

It will also be presumed that incidents behind play, as defined below, are more likely to be intentional or possibly reckless. Clubs and Players should be aware that these incidents will result in strict sanctions,

irrespective of the level of impact.

Video examples of respective incidents which are negligent, reckless or intentional, will be available. To further assist in the interpretation of the relevant factors set out in Appendix 1, an example of a mere careless incident will also be available.

The Laws provide for various categories of permitted contact which shall not constitute a Reportable Offence. Such contact includes legally using a hip, shoulder, chest, arms or open-arms, providing that 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. Tackling and shepherding in accordance with the Laws obviously do not constitute a Reportable Offence.

## IMPACT

There are four categories of impact - severe, high, medium and low. Low impact requires more than just negligible impact. A Reportable Offence requires at least low impact and a collision or incident involving negligible force will not ordinarily be reported.

In determining the level of impact, regard will be had to the extent of force and in particular, any injury sustained by the Player who was offended against. Regard will also be had to the potential to cause serious injury such as 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 charging from a front-on position;
- forceful round arm swings that make head-high contact to a Player in a marking dual, ruck contest or when tackling;
- use of an elbow or raised forearm to strike an opponent;
- eye-gouging; and
- spear tackles.

In addition to the effect on the victim Player, 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, will be taken into account. The absence of injury does not preclude the classification of impact as severe.

## GUIDELINES (CONT.)

Video depictions of incidents ranging in impact from severe through high, to medium and finally low, will be available as will an example of non-reportable negligible impact.

### LOCATION

There are only two categories of location for the purpose of Appendix 1. An incident is determined to be either in-play or behind-play.

The AFL takes a very serious view of behind the play incidents and accordingly, strict sanctions apply to that type of unacceptable conduct.

An incident will be regarded as in play if it is in proximity to the ball or the next passage of play. All other incidents including those occurring during times when play has stopped ie. breaks between quarters or before or after the final siren, shall be categorised as behind-play.

### CONTACT

The AFL is determined to protect the health and welfare of Players by specifying strict sanctions for illegal, head-high contact.

Under Appendix 1, contact can be classified as high or body contact. High contact is not limited to contact to the head and includes contact above the shoulders. There may be a correlation between contact and impact to the extent that, for example, a strike to the testicles may be classified as body contact but its impact will be classified towards the high end of the scale if the effect was to reduce the Player's ability to participate in the match.

In classifying contact, regard will be had to the point of contact and where contact is both high and to the body, the Match Review Panel will classify the contact as high.

### REPORTABLE OFFENCES

The Laws set out specific Reportable Offences in Law 19.2.2. There are others.

The Laws define certain offences such as charging and melees, however they specifically provide that in interpreting Reportable Offences, words, terms or phrases which are not defined in the Laws shall be given their ordinary meaning.

Striking, kicking etc. therefore are interpreted in accordance with their commonly

understood meaning. A strike would usually be by hand, arm or even head and will generally not apply to other contact using the body. A kick is generally applied to contact by foot or leg. Rough conduct is interpreted widely in relation to any contact which is unreasonable or unnecessary in the circumstances.

Misconduct has a wide meaning and generally is any conduct which would be regarded as unacceptable 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.

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 Match Review Panel to report a Player for attempting to strike where it is satisfied that notwithstanding the result, the intention was to connect with greater force.

In classifying an attempt to strike, kick etc. the level of impact and contact shall be classified as the intended impact and contact.

### CHARGES IN THE ALTERNATIVE

The Match Review Panel will generally not charge a Player for a specific offence and another offence in the alternative.

Player Rule 23 provides that the Tribunal may allow charges to be amended at any time during the hearing before the Tribunal (Player Rules 23.9.2 and 23.14) and the Match Review Panel 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.

### REPORTS

The Match Review Panel shall set out details of the relevant factors including conduct, impact, location and contact as well as the score and Level (where applicable) in respect of all 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 Match Review Panel, where the Tribunal determines that the relevant Reportable Offence should be classified differently or where there are exceptional and compelling circumstances which make it inappropriate or unreasonable to apply the classification of the Match Review Panel, the Tribunal may classify the offence differently and allocate the demerit points that it considers appropriate to the offence..

The fact that the Tribunal does not adopt the classification of the Match Review Panel shall not mean that the offence is not sustained.

### MITIGATION

In determining a Level to be given to a Reportable Offence, the Match Review Panel will not take into account any provocation or whether a Player was acting in self-defence. Ordinarily those are matters which would be relevant to any sanction to be imposed and while the Tribunal will generally apply the Level classification of the Match Review Panel, there is power in Player Rule 23.7.1 for the Tribunal to substitute another classification, if it is appropriate in all the circumstances to do so. Extreme provocation as an example, may amount to an exceptional and compelling circumstance which would make it inappropriate or unreasonable for the Tribunal to apply the classification of the Match Review Panel, if sufficient and credible evidence of extreme provocation was adduced before the Tribunal.

### INJURY

The Match Review Panel 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 for the Match Review Panel in determining the level of impact, point of 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.

## GUIDELINES (CONT.)

### POINTS

In determining the points relevant to the Level determined by the Match Review Panel, the discount for an Early Plea shall apply to the points relating to the relevant offence, after the adjustments referred to at the foot of the "Levels to Points" table in Appendix 1.

There shall be no increase in base points where a Player has been found guilty of a Reportable Offence within the preceding three AFL Seasons and where the only sanction applied was a financial sanction.

If within the preceding three years, a Player has been found guilty of a Reportable Offence or Reportable Offences or taken an Early Plea resulting in any suspension of three or more matches, the points in the table shall be increased by 30% of the base points for each such suspension. 20% of the base points will be added for each occasion within the preceding three years where the Player has been found guilty of a Reportable Offence or taken an Early Plea resulting in a suspension of two matches and 10% of the base points will be added for each occasion within the preceding three years where the Player has been found guilty of a Reportable Offence or taken an Early Plea resulting in a suspension of one match. These additions apply only for suspensions in the AFL Competition.

Clubs and Players should be aware that the sanctions applicable to Players found to have committed a Reportable Offence

are significantly affected by a Player's prior history. Players should be aware of the compounding consequences which apply in the event that they are subsequently found guilty of a Reportable Offence.

25% of the base points in the table shall be deducted if a Player has not:

- been found guilty of any Reportable Offence that has resulted in a suspension or imposition of a financial sanction;
- taken an Early Plea; or
- been found guilty of a Reportable Offence by a State League associated with the AFL Competition when the Player was a listed AFL Player, in the preceding five years.

A Player will be entitled to a 25% discount for taking an Early Plea in accordance with Rule 22.12.8(c)(i) however in calculating the total to which that 25% discount applies, any points carried over from a previous offence will be added and the 25% discount applied to the grand total of all adjustments including the addition of carried forward points.

Where a Player successfully persuades the Tribunal that the Reportable Offence should be classified lower than the Level determined by the Match Review Panel and where the Player has pleaded guilty to the offence as reclassified, the Player in that circumstance will be entitled to an Early Plea discount on the reclassification.

For Players reported during the Grand Final, the points will be calculated in accordance

with the table, with the various adjustments set out at the foot of the table and after all amounts have been calculated, the base demerit points shall then again be added to that calculated total. Increasing the number of points by adding the base again after all other calculations for reports during Grand Finals, is an indication of the need to protect the image and reputation of the AFL Competition during its most important showcase game.

### DIRECT REFERENCE TO TRIBUNAL

Where the Match Review Panel determines on the basis of the evidence before it that it is not able to determine with sufficient certainty, the relevant factors set out in Appendix 1 in respect of any Reportable Offence, the Match Review Panel may refer the matter to the Tribunal in accordance with Player Rule 22.10.8 in which case, the Player shall not have the option of an Early Plea.

A direct referral to the Tribunal may occur where the video evidence is conclusive in relation to the commission of a Reportable Offence but insufficiently so in relation to the relevant factors set out in Appendix 1.

The Match Review Panel 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.

# THE OFFENCE AND THE LEVEL OF OFFENCE

RELEVANT FACTORS				ACTIVATION POINTS	LEVEL
CONDUCT (3 to 1)	IMPACT (4 to 1)	LOCATION (2 to 1)	CONTACT (2 to 1)		
INTENTIONAL	SEVERE	BEHIND PLAY	HIGH	11	TRIBUNAL
INTENTIONAL	SEVERE	BEHIND PLAY	BODY	10	TRIBUNAL
INTENTIONAL	SEVERE	IN PLAY	HIGH	10	TRIBUNAL
INTENTIONAL	SEVERE	IN PLAY	BODY	9	5
INTENTIONAL	HIGH	BEHIND PLAY	HIGH	10	TRIBUNAL
INTENTIONAL	HIGH	BEHIND PLAY	BODY	9	5
INTENTIONAL	HIGH	IN PLAY	HIGH	9	5
INTENTIONAL	HIGH	IN PLAY	BODY	8	4
INTENTIONAL	MEDIUM	BEHIND PLAY	HIGH	9	5
INTENTIONAL	MEDIUM	BEHIND PLAY	BODY	8	4
INTENTIONAL	MEDIUM	IN PLAY	HIGH	8	4
INTENTIONAL	MEDIUM	IN PLAY	BODY	7	3
INTENTIONAL	LOW	BEHIND PLAY	HIGH	8	4
INTENTIONAL	LOW	BEHIND PLAY	BODY	7	3
INTENTIONAL	LOW	IN PLAY	HIGH	7	3
INTENTIONAL	LOW	IN PLAY	BODY	6	2
RECKLESS	SEVERE	BEHIND PLAY	HIGH	10	TRIBUNAL
RECKLESS	SEVERE	BEHIND PLAY	BODY	9	5
RECKLESS	SEVERE	IN PLAY	HIGH	9	5
RECKLESS	SEVERE	IN PLAY	BODY	8	4
RECKLESS	HIGH	BEHIND PLAY	HIGH	9	5
RECKLESS	HIGH	BEHIND PLAY	BODY	8	4
RECKLESS	HIGH	IN PLAY	HIGH	8	4
RECKLESS	HIGH	IN PLAY	BODY	7	3
RECKLESS	MEDIUM	BEHIND PLAY	HIGH	8	4
RECKLESS	MEDIUM	BEHIND PLAY	BODY	7	3
RECKLESS	MEDIUM	IN PLAY	HIGH	7	3
RECKLESS	MEDIUM	IN PLAY	BODY	6	2
RECKLESS	LOW	BEHIND PLAY	HIGH	7	3
RECKLESS	LOW	BEHIND PLAY	BODY	6	2
RECKLESS	LOW	IN PLAY	HIGH	6	2
RECKLESS	LOW	IN PLAY	BODY	5	1
NEGLIGENT	SEVERE	BEHIND PLAY	HIGH	9	5
NEGLIGENT	SEVERE	BEHIND PLAY	BODY	8	4
NEGLIGENT	SEVERE	IN PLAY	HIGH	8	4
NEGLIGENT	SEVERE	IN PLAY	BODY	7	3
NEGLIGENT	HIGH	BEHIND PLAY	HIGH	8	4
NEGLIGENT	HIGH	BEHIND PLAY	BODY	7	3
NEGLIGENT	HIGH	IN PLAY	HIGH	7	3
NEGLIGENT	HIGH	IN PLAY	BODY	6	2
NEGLIGENT	MEDIUM	BEHIND PLAY	HIGH	7	3
NEGLIGENT	MEDIUM	BEHIND PLAY	BODY	6	2
NEGLIGENT	MEDIUM	IN PLAY	HIGH	6	2
NEGLIGENT	MEDIUM	IN PLAY	BODY	5	1
NEGLIGENT	LOW	BEHIND PLAY	HIGH	6	2
NEGLIGENT	LOW	BEHIND PLAY	BODY	5	1
NEGLIGENT	LOW	IN PLAY	HIGH	5	1
NEGLIGENT	LOW	IN PLAY	BODY	4	1

## DEFINITIONS

- **“Intentional”** requires a fixed and settled purpose. The outcome must stem from an act deliberately done.
- **“Reckless”** exists when a person deliberately does an act which involves an obvious risk of illegal contact and that person acts, either not giving any thought to the possibility of such contact, or recognising that there was some risk involved and nonetheless goes on to do the act.
- **“Negligent”** means the failure to exercise due care which the circumstances demand. A person must take due care to avoid acts or omissions which can be reasonably foreseen to be likely to cause a Reportable Offence. Negligence is more than mere carelessness or inadvertence. Negligence is the omission to do, or the doing of something, which a reasonable person would not regard as prudent in the circumstances.

Intentional acts are regarded as more serious than reckless acts. Reckless acts are regarded as more serious than negligent acts. An accidental or merely careless act cannot constitute a Reportable Offence.

In determining the level of impact, regard shall be had to the force involved and the extent of any injury caused by the offending conduct.

# THE OFFENCES GRADED BY LEVELS

RELEVANT FACTORS				ACTIVATION POINTS	LEVEL
CONDUCT (3 to 1)	IMPACT (4 to 1)	LOCATION (2 to 1)	CONTACT (2 to 1)		
INTENTIONAL	SEVERE	BEHIND PLAY	HIGH	11	TRIBUNAL
INTENTIONAL	SEVERE	BEHIND PLAY	BODY	10	TRIBUNAL
INTENTIONAL	SEVERE	IN PLAY	HIGH	10	TRIBUNAL
INTENTIONAL	HIGH	BEHIND PLAY	HIGH	10	TRIBUNAL
RECKLESS	SEVERE	BEHIND PLAY	HIGH	10	TRIBUNAL
INTENTIONAL	SEVERE	IN PLAY	BODY	9	5
INTENTIONAL	HIGH	BEHIND PLAY	BODY	9	5
INTENTIONAL	HIGH	IN PLAY	HIGH	9	5
INTENTIONAL	MEDIUM	BEHIND PLAY	HIGH	9	5
RECKLESS	SEVERE	BEHIND PLAY	BODY	9	5
RECKLESS	SEVERE	IN PLAY	HIGH	9	5
RECKLESS	HIGH	BEHIND PLAY	HIGH	9	5
NEGLIGENT	SEVERE	BEHIND PLAY	HIGH	9	5
INTENTIONAL	HIGH	IN PLAY	BODY	8	4
INTENTIONAL	MEDIUM	BEHIND PLAY	BODY	8	4
INTENTIONAL	MEDIUM	IN PLAY	HIGH	8	4
INTENTIONAL	LOW (1 pt)	BEHIND PLAY	HIGH	8	4
RECKLESS	SEVERE	IN PLAY	BODY	8	4
RECKLESS	HIGH	BEHIND PLAY	BODY	8	4
RECKLESS	HIGH	IN PLAY	HIGH	8	4
NEGLIGENT	SEVERE	BEHIND PLAY	BODY	8	4
RECKLESS	MEDIUM	BEHIND PLAY	HIGH	8	4
NEGLIGENT	SEVERE	IN PLAY	HIGH	8	4
NEGLIGENT	HIGH	BEHIND PLAY	HIGH	8	4
INTENTIONAL	MEDIUM	IN PLAY	BODY	7	3
INTENTIONAL	LOW	BEHIND PLAY	BODY	7	3
INTENTIONAL	LOW	IN PLAY	HIGH	7	3
RECKLESS	HIGH	IN PLAY	BODY	7	3
RECKLESS	MEDIUM	BEHIND PLAY	BODY	7	3
RECKLESS	MEDIUM	IN PLAY	HIGH	7	3
RECKLESS	LOW	BEHIND PLAY	HIGH	7	3
NEGLIGENT	SEVERE	IN PLAY	BODY	7	3
NEGLIGENT	HIGH	BEHIND PLAY	BODY	7	3
NEGLIGENT	HIGH	IN PLAY	HIGH	7	3
NEGLIGENT	MEDIUM	BEHIND PLAY	HIGH	7	3
INTENTIONAL	LOW	IN PLAY	BODY	6	2
RECKLESS	MEDIUM	IN PLAY	BODY	6	2
RECKLESS	LOW	BEHIND PLAY	BODY	6	2
RECKLESS	LOW	IN PLAY	HIGH	6	2
NEGLIGENT	HIGH	IN PLAY	BODY	6	2
NEGLIGENT	MEDIUM	BEHIND PLAY	BODY	6	2
NEGLIGENT	MEDIUM	IN PLAY	HIGH	6	2
NEGLIGENT	LOW	BEHIND PLAY	HIGH	6	2
RECKLESS	LOW	IN PLAY	BODY	5	1
NEGLIGENT	MEDIUM	IN PLAY	BODY	5	1
NEGLIGENT	LOW	BEHIND PLAY	BODY	5	1
NEGLIGENT	LOW	IN PLAY	HIGH	5	1
NEGLIGENT	LOW	IN PLAY	BODY	4	1

## GRADING THE OFFENCE

The above table has been constructed to provide a framework to build in a clear and transparent consequence for a player's guilt, and to provide clear levels of charges. The Match Review Panel will assess the levels of the offence based on four factors:

### Conduct, Impact, Location, and Contact.

The table prescribes the penalty that is applicable to the offence, depending on the

type and level of offence. The Offences on which the charge is graded are Striking, Kicking, Charging, Kneeing, Contact with an Umpire (intentional or reckless only), Rough Conduct, Headbutting or Making contact with the Head, Tripping, and Attempting to Strike, Kick, or Trip. Other charges relative to Misconduct, Spitting, and Striking or Abuse of umpires are referred to the tribunal. The

Tribunal will allocate demerit points in these cases at its discretion.

The Table prescribes activation points that define the Level of seriousness of the Offence on a scale of Level 1 to Level 5. The Level then leads to a set number of demerit points, based on which the player will be suspended. Note: Match Review Panel can always refer charges to the Tribunal for consideration.



# TABLE OF OFFENCES – DEMERIT POINTS

LEVEL OF OFFENCE \ REPORTABLE OFFENCE	Striking	Kicking	Charging	Contact with Umpire (intentional or Reckless only)	Striking an Umpire Attempting to Strike an Umpire Threatening, Obscene Language to Umpire	Rough Conduct	Tripping	Attempt to Strike / Kick / Trip
TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL
LEVEL 5	550	675	550	700	TRIBUNAL	550	425	225
LEVEL 4	425	550	425	575	TRIBUNAL	425	325	175
LEVEL 3	325	425	325	450	TRIBUNAL	325	225	125
LEVEL 2	225	300	225	325	TRIBUNAL	225	125	75
LEVEL 1	125	175	125	200	TRIBUNAL	125	75	N/A

## DISCOUNTS & ADDITIONS

### TO BE READ IN CONJUNCTION WITH THE GUIDELINES

Points are allocated on the date of acceptance by a Player of an early Plea or decision of the Tribunal to impose a sanction in accordance with the Table Of Offences – Demerit Points. Points shall apply for one year from the date of allocation.

### ADDITIONS

If a Player has been found guilty of a Reportable Offence or Reportable Offences or taken an Early Plea within the previous three years resulting in any suspension of three or more matches, an automatic 30% of the base points will be added for each such suspension.

20% of the base points will be added for each occasion within the preceding three years where the Player has been found guilty

or pleaded guilty to a Reportable Offence resulting in a suspension of 2 matches.

10% of the base points will be added for each occasion within the preceding three years where a Player has been found guilty or pleaded guilty to a Reportable Offence resulting in a suspension of 1 match.

**Deductions:** 25% of the base points shall be deducted if the player has not been found guilty of any Reportable Offence or taken an Early Plea within the previous five years.

## POINTS - CONSEQUENCES

Pushing or Throwing A Player Over	Misconduct (Kneeing)	Misconduct (Headbutt / Contact with Head)	Misconduct	Spitting at or on another person
TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL	TRIBUNAL
275	550	425	TRIBUNAL	TRIBUNAL
225	425	325	TRIBUNAL	TRIBUNAL
175	325	225	TRIBUNAL	TRIBUNAL
125	225	125	TRIBUNAL	TRIBUNAL
75	125	75	TRIBUNAL	TRIBUNAL

NUMBER OF POINTS	SUSPENSION	CONSEQUENCE
LESS THAN 100	0	The Player is not suspended from playing but carries the allocated points for 12 months which will be added to any future points allocated.
GREATER THAN 99, BUT LESS THAN 200	1	The Player is suspended from playing in his next match and when his suspension is served his total points reduce by 100, but he carries the balance of points for 12 months from the date the points are allocated. The residual points will be added to any future points allocated.
GREATER THAN 199, BUT LESS THAN 300	2	The Player is suspended from playing in his next two matches and when his suspension is served his total points reduce by 200, but he carries the balance of points for 12 months from the date the points are allocated. The residual points will be added to any future points allocated.
GREATER THAN 299, BUT LESS THAN 400	3	The Player is suspended from playing in his next three matches and when his suspension is served his total points reduce by 300, but he carries the balance of points for 12 months from the date the points are allocated. The residual points will be added to any future points allocated.
GREATER THAN 399, BUT LESS THAN 500	4	The Player is suspended from playing in his next four matches and when his suspension is served his total points reduce by 400, but he carries the balance of points for 12 months from the date the points are allocated. The residual points will be added to any future points allocated.
GREATER THAN 499, BUT LESS THAN 600	5	The Player is suspended from playing in his next five matches and when his suspension is served his total points reduce by 500, but he carries the balance of points for 12 months from the date the points are allocated. The residual points will be added to any future points allocated.
ETC.	+	Etc.

**Grand Final:** For any Reportable Offences sustained during the Grand Final, the base points shall be added again after the points have been calculated in accordance with any additions or reductions and finally increased by adding any residual points carried forward.

#### AFL FEEDER COMPETITIONS:

In the case of an AFL registered Player incurring a suspension in a State League associated with the AFL Competition, for any period within the

previous 5 years and while an AFL registered Player, the Player shall not be entitled to the 25% deduction for his good record; however for suspension in State Leagues, the 30%, 20% and 10% additions shall not apply.

#### HOW POINTS ARE CALCULATED:

Additions for prior offences and deductions for clean record are made on the base points. Residual points carried forward are added after additions are made for prior offences.

Discounts for early plea apply to the total points after discounts or additions have been made.

#### REFERRING TO TRIBUNAL

The Match Review Panel may refer any 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 any other unusual features of any report.

## TABLE OF OFFENCES - FIXED FINANCIAL SANCTIONS

REPORTABLE OFFENCE	SANCTION		
	1st Offence	2nd Offence	3rd & Subsequent Offences
MELEE	\$2,000 (\$1,500)	\$3,200 (\$2,400)	\$4,400 (\$3,500)
WRESTLING	\$1,200 (\$900)	\$2,400 (\$1,800)	\$4,000 (\$3,000)
NEGLIGENT CONTACT WITH UMPIRE	\$3,200 (\$2,400)	\$4,400 (\$3,300)	\$6,400 (\$5,000)
ABUSIVE, INSULTING, THREATENING, OBSCENE LANGUAGE	\$1,200 (\$900)	\$2,400 (\$1,800)	\$4,000 (\$3,000)
OBSCENE GESTURE	\$1,200 (\$900)	\$2,400 (\$1,800)	\$4,000 (\$3,000)
DISPUTING DECISION	\$1,200 (\$900)	\$2,400 (\$1,800)	\$4,000 (\$3,000)
INTERFERING WITH PLAYER KICKING FOR GOAL	\$1,200 (\$900)	\$2,400 (\$1,800)	\$4,000 (\$3,000)
PINCHING	\$1,200 (\$900)	\$2,400 (\$1,800)	\$4,000 (\$3,000)
HITTING ROOF	\$800 (\$600)	\$1,600 (\$1,200)	\$2,400 (\$1,800)
SHAKING GOAL POST	\$800 (\$600)	\$1,600 (\$1,200)	\$2,400 (\$1,800)
TIME WASTING	\$800 (\$600)	\$1,600 (\$1,200)	\$2,400 (\$1,800)
PROHIBITED BOOTS, JEWELLERY, EQUIPMENT	\$800 (\$600)	\$1,600 (\$1,200)	\$2,400 (\$1,800)
NOT LEAVING PLAYING SURFACE	\$800 (\$600)	\$1,600 (\$1,200)	\$2,400 (\$1,800)

NOTE: IF THE PLAYER ELECTS TO TAKE THE PRESCRIBED EARLY PLEA 25% DEDUCTION THE PENALTY IS IN BRACKETS.

# EXAMPLES

## A. A PLAYER WITH A GOOD RECORD IS REPORTED FOR STRIKING.

Player Jones (Melbourne) is reported by a field umpire, on-field for a striking incident. The umpire makes the following charge: Player Jones (Melbourne) is reported for allegedly striking Player Smith (Richmond) with a fist to the head, in the third quarter.

The Match Review Panel (MRP) reviews the video and medical report on injured player.

The MRP assesses the offence via the Chart headed 'The Offences Graded by Levels' (p 8).

The MRP deems the conduct 'Reckless' (two points); the impact to be 'High' (three points); the Location 'In Play' (one point); and the Contact to be 'High' (two points).

The example would accumulate a total 'score' of eight points; this equates to a Level four Offence.

As per the Table of Offences – Demerit Points chart on page 9-10, the charge therefore gathers 425 demerit points. However, there remains potential for these points to be varied, as follows.

### VARIATIONS TO BASE DEMERIT POINTS

Player Jones's demerit points can be varied as follows:

**i) GOOD RECORD:** 25% of the base points will be deducted if a player has been found not guilty of any Reportable Offence in his previous five AFL seasons. Jones has not been guilty in his five seasons in the AFL. Therefore his points tally, in the above example, would be reduced by 25% to 318.75 ( $425 - 106.25 = 318.75$ ).

**ii) BENEFIT FOR GUILTY PLEA:** If Jones elects to plead guilty to the reportable offence, the charge is not heard by the tribunal, and the already discounted demerit points (above) will be reduced by a further 25%.

Jones's tally, after the discount for a good record, would further reduce by 79.6875 points (25% of 318.75 = 79.6875) to the new total of 239.0625 ( $425 - 106.25 - 79.6875 = 239.0625$ ). Player Jones would be suspended for two premiership matches. He would retain 39.0625 points on his record for one year from the date of allocation of the above points.

NOTE: The 25% benefit for taking a guilty plea applies after all additions (prior poor record, or residual points) or subtractions

(prior good record) have been allocated to the base.

## B. RESIDUAL POINTS

(Note: the following examples are obviously not relevant to current AFL players, as the points system has not existed in past seasons, and obviously no player would have residual points. The examples are offered to show how the system will work in future months, and years).

These points (39.0625 in the above example) would be added to any subsequent allocation of points after additions have been considered, but prior to an early guilty plea discount.

For example, if Jones faced the tribunal on a striking charge within the following twelve months, and the MRP rated the new charge a level two striking charge (225 demerit points), Jones's points calculations would be worked out as follows:

Base Demerit points, level two offence: 225 points;

Add 20% for prior record (two match suspension within previous three years):  
 $225 + 45 = 270$

Add residual points (39.0625):  
 $270 + 39.0625 = 309.0625$

Jones again enters an early guilty plea, and receives a discount of 25% on his total points (25% of 309.0625 = 77.265625). His final points tally is  $309.0625 - 77.265625 = 231.79688$ . Jones receives a two match suspension, and retains 31.79688 residual points for a further twelve months from the date of allocation.

NOTE: The benefit for guilty plea discount also applies to financial penalties.

## C. A PLAYER WITH A PRIOR RECORD, IS REPORTED FOR A STRIKING OFFENCE.

Player McTavish (Geelong) has been reported by a field umpire for striking Player O'Keefe (Port Adelaide) during the second quarter of the match at Telstra Dome.

McTavish has been found guilty of a Reportable Offence within the previous three AFL seasons, and that offence resulted in a suspension of three (or more) matches.

The MRP deems the conduct 'Reckless' (two points), the impact to be 'High' (three points), the Location 'In Play'

(one point), the Contact to be 'High' (two points).

The example would accumulate a total 'score' of 8 points; this equates to Level Four offence, and a base of 425 demerit points.

McTavish's record means an automatic penalty of 30% is added to the base points (e.g. 425 points becomes 552.5 points).

If McTavish had residual points from an offence within the previous 12 months (say 88.25), these points are then added (e.g.  $552.5 + 88.25 = 640.75$ ).

Player McTavish can still choose to plead guilty and receive a reduction of the designated points. The 25% reduction would apply to the accumulated points (25% of 640.75 = 480.56). His final points in this example would be 480.56 and he would serve a four match suspension, and have 80.56 residual points.

## D. PRIOR RECORD INCLUDES MORE THAN ONE SUSPENSION IN PREVIOUS THREE SEASONS

If a Player has been found guilty of more than one Reportable offence within the previous three AFL Seasons, and those offences each result in a suspension, each will cause an addition to the base points of his new Reportable Offence.

If the Player has been found guilty of a reportable offence and suspended for three matches in the previous year, and two matches in the year before that, his base demerit points would increase by 30% for the three match suspension, and 20% for the two match suspension.

(There is also an addition of 10% for offences which have resulted in a suspension of one match.)

If the base was 225 points the following calculation applies: ( $225 + 67.5 + 45 = 337.5$ ). He also has 23.5 residual points, bringing his total to 361 points. If the Player went before the tribunal and the tribunal accept the MRP's judgement, the player would serve a suspension of three matches.

If he pleaded guilty, and did not go to the tribunal, he would receive a 25% discount on the total (25% of 361 points [90.25]. The new calculation would be: ( $361 - 90.25 = 270.75$ ). He would be suspended for two matches, with 70.75 residual points.

## EXAMPLES (CONT.)

### E. A PLAYER IS REPORTED ON A SERIOUS STRIKING CHARGE, WHICH IS REFERRED TO THE TRIBUNAL.

Player O'Shea (Brisbane Lions) is reported on charge of striking player Karns (Hawthorn) with an elbow to the head in the third quarter. Karns is hospitalized, suffering a broken jaw. He is likely to miss eight matches through injury.

The Match Review Panel assessed the report and decided the Conduct was Intentional, the Impact Severe, The Location Behind Play, and the Contact High. This led to a tally of 11 activation points. Under the Chart of Offences – Demerit Points, the matter is automatically referred to the Tribunal.

O'Shea, who had been suspended for three matches in the previous season, and two matches the season before was unable to take a guilty plea.

The Tribunal found the charge proven, and allocated 750 base demerit points under its discretionary powers.

As O'Shea had a prior record, the base points were increased by 30% and 20% ( $750 + 225 + 150 = 1125$ ). He also had 75.25 residual points from his previous suspension. ( $1125 + 75.25 = 1200.25$ ) O'Shea was suspended for 12 matches, and has 0.25 residual points.

### F. A PLAYER ACCEPTS HE IS GUILTY OF STRIKING, BUT BELIEVES THE MRP HAS MISJUDGED THE LEVEL OF HIS GUILT. HE DECIDES TO TAKE HIS CASE TO THE TRIBUNAL.

Player McArdle (Richmond) is reported by a field umpire for striking player Hyland (West Coast Eagles) in the match at the MCG.

The MRP assesses the charge and deems it to be Intentional (3 points), of Medium impact (2 points), In Play (1 point) and to the Body (1 point), making a total of seven Activation Points, and a Level Three Offence (325 demerit points).

McArdle has no prior record, but is not eligible for any discounts for a good record, as he has only been a registered AFL player for two seasons.

He has the following options.

- i) Take an early plea, and receive a 25%

discount to the base of 325 points, ( $81.25$  points):  $325 - 81.25 = 243.75$ . Under that scenario, he would receive a two match suspension.

- ii) McArdle accepts that he is guilty of striking, but believes the assessment of intent was overstated by the MRP. He believes his Conduct was Reckless, not Intentional. He notes that had the MRP rated his Conduct as Reckless, the Activation points would have totaled six points, or a level two charge, or 225 points. If such had been the assessment of the MRP, McArdle would have accepted an early guilty plea, and received a 25% discount, reduced the base points of 225 by 56.25 to 168.75. He would have received a one match suspension. McArdle, and his club believes he has a strong case, and decide to plead guilty, before the Tribunal, to a lesser charge of Reckless Conduct.

Under this scenario, there are two implications possible:

- a) the Tribunal accepts McArdle's case, and reduces the level of Conduct to Reckless, and the offence to Level Two. As McArdle has 'successfully' pleaded guilty to a lesser charge, he is eligible to receive the early plea discount of 25%, and would receive a one match suspension.
- b) However, if the Tribunal accepted the MRP's judgement, and dismissed McArdle's case, he has forsaken all rights to a discount, and would receive a Level three Offence, and 325 Demerit points. He would be suspended for three matches.

### G. MRP REFERS CHARGE TO TRIBUNAL

A player is reported for striking. Under the Chart of Offences, the player would receive a level five Offence (550 points). The MRP is unsatisfied the penalty which flows from the Demerit Points is sufficient. It refers the charge to the Tribunal.

The player has struck another player with an elbow to the face. The victim has a fractured eye socket, and will be out of action for ten matches.

During its review, the MRP considered the Conduct to be Reckless (2 points), the

Impact Severe (4 points), the Location In Play (1 point), and the Contact High (2 points), for a total of nine Activation Points, a Level Five Offence. Under the Table of Offences – Demerit points, the offence would receive 550 demerit points.

The player has a good record, not having been suspended for the previous five seasons, and is entitled to a 25% discount. The MRP recognizes that if the player took an early guilty plea, and received a further 25% discount, his demerit points would be reduced to 309.375 ( $550 - 137.5 - 103.125 = 309.375$ ). The MRP believes a three match suspension is not a just outcome, and refers the charge to the Tribunal.

Under this scenario, the player would still be entitled to the 25% discount for his good record, but he cannot receive a discount for an early guilty plea, as direct referrals by the MRP to the Tribunal eliminate the potential of a player to take an early plea, or to seek a successful guilty plea (i.e. a variation to the MRP's judgement) at the Tribunal.

The tribunal agrees that the Table Of Offences does not adequately represent the level of the offence, and allocates 850 base demerit points under its discretionary powers.

The player receives a 25% reduction to the points allocated because of his good behaviour. The calculation is as follows:  $850 - 212.5 = 637.5$ . He would serve a six match suspension.

**NOTE:** The reverse situation can apply. The MRP judges a player to be charged with a striking offence as follows: Intentional (3 points), Impact High (3 points), In Play (1 point), and High (2 points), for a total of nine activation points, and a level five offence, and 550 points.

However, it has been made known to the MRP that the player has acted under severe provocation. The MRP refers the charge to the Tribunal, noting that it appears the player charged has been severely provoked.

The Tribunal hears the evidence, and decides that a level Five offence should be amended. It applies a level three offence to the charge, (325 points). The player has no facility for reductions under a guilty plea, nor has he any benefits for a good record. He is suspended for three matches.

## EXAMPLES (CONT.)

### H. A PLAYER IS REPORTED IN THE GRAND FINAL

Double points apply to the Table of Offences - Demerit Points for the Grand Final, but only after all additions have been made. For example if a player faces a level five striking charge, and has a prior record (three match suspension within the previous three seasons) the calculation would be as follows:

Base points: 550

Additional 30% for prior record (165):  
 $550 + 165 = 715$

Double base points for Grand Final offence (+550): 1265

Add residual points (22.5):  $1265 + 22.5 = 1287.5$

If the player took a guilty plea, he would receive a discount of 25% of 1287.5 (321.875), reducing his total points to 965.125.

He would be suspended for nine matches.

### I. A PLAYER IS CHARGED WITH ATTEMPTING TO STRIKE.

A player is charged with attempting to strike. During its deliberations, the MRP decides the charge is proven, and that the attempt was Intentional (3 points), the Impact – (the intended impact) – would have been High (3 points), the Location of the attempt was In Play (1 point), and the Contact – (intended contact) – would have been High (2 points.). The charge gathers nine activation points, and is a Level Five offence, and 225 demerit points apply.

### J. GAMES IN WHICH SUSPENSION IS SERVED

A player in a club which cannot make the Finals, is reported in round 22, for striking and the MRP decides the charge is proven, and allocates a Level four offence, and 425 demerit points to the charge. After a discount for an early plea, the player (who has no good record benefit, or residual points) has 318.75 Demerit Points. He is suspended for three matches.

Given the player's season is over, the MRP must specify the matches which the player must serve his suspension. In this case the MRP specifies the player must serve his suspension in rounds 1, 2, 3 of the following season, but is eligible to play in the Wizard Cup of the next season, and/or official AFL practice

matches for his club. If the MRP makes no specification, the matches will be automatically AFL Premiership Season matches, or AFL Finals Series matches.

### K. REGISTERED AFL PLAYER SUSPENDED IN AFL FEEDER COMPETITION

A player who has played six seasons as an AFL registered player, is reported on a striking charge. He has never been suspended in the AFL competition, but in the previous season had been suspended for five matches in an AFL feeder competition (VFL, WAFL, SANFL, QAFL, NSW/ACT AFL).

The suspension in the feeder competition will affect the player's good record, but not his prior record. In this case, if the MRP rated the charge a level two striking offence, and the player took an early guilty plea, the calculations would follow thus:

Base points: 225 points.

Reduction for good behaviour: Negated because of charge in feeder competition.

Addition for prior record: Not Applicable, as AFL Senior record is clean.

Discount for early plea: 56.25 points.

Calculation:  $225 - 56.25 = 168.75$

Player would serve one match suspension.

### L. IMPACT OF INTERNATIONAL RULES SUSPENSION ON PLAYER'S RECORD

A player, who has a clean AFL Record in ten seasons, is reported for striking, and the MRP deems the offence a level three offence (325 points.) Although the player has a clean AFL record, he has been suspended in the previous three seasons for a striking charge in an International Rules match. His suspension was for two International Rules matches.

The International Rules, although it is an AFL-sanctioned competition, has its own rules, and own judicial system. The AFL has contracted to not include any guilty record of players in the these matches which lead to suspension from International Rules matches, in their AFL record.

Therefore, the player receives the benefit of his good record in the AFL competition, and receives a 25% reduction on his base points. He also decides to take an early plea.

The calculation follows:

Base points for Level Three offence: 325 points.

Reduction for Good Record (25%): 81.25 points.

Reduction for early plea: (25%): 60.9375 points.

Calculation:  $325 - 81.25 - 60.9375 = 182.8125$ .

The player would be suspended for one match.

### M. DATE POINTS ARE ALLOCATED

A player is suspended for one match in round 2, 2005. He took a guilty plea to a Level Two striking charge (225 points), and was able to take a discount of 25% on the base points. His final points were 168.75. He retained 68.75 residual points which were allocated on the day his guilty plea was accepted (7 April 2005). He served a one match suspension.

In the following season he was reported again on a striking charge, also in round 2. The MRP found the charge proven, and categorized the charge as a Level 3 offence, 325 Demerit Points. He again pleaded guilty, and his guilty plea was accepted and points allocated on April 8, 2006. His calculations follow:

Base points: 325 points.

Prior record: (add 10%): 32.5 points.

Residual points: Not applicable, as the date of activation is more than one year after his previous points were activated.

Reduction for guilty plea: 89.375

Calculation:  $325 + 32.5 - 89.375 = 268.125$ .

The player would be suspended for two matches.

Had he been charged in round one of 2006, his residual points would have been added, as the points allocation would have taken place on April 1, 2006, less than a year before his most recent allocation of points had been made. In this case the calculation follows:

Base points: 325 points.

Poor record: (add 10%): 32.5 points.

Residual points: 68.75

Reduction for guilty plea: 106.5625

Calculation:  $325 + 32.5 + 68.75 - 106.5625 = 319.6875$

The player would be suspended for three matches.