

## **WAFC Community Football Tribunal Terms of Reference**

Tribunal Members sitting on the WAFC Community Football Tribunal are to operate within the scope of the Terms of Reference provided by the WAFC.

### **General Guidelines**

- All leagues and competitions have differing by-laws and therefore prescribed penalty offers will differ based on local rules and by-laws.
- It is at the discretion of the Tribunal Chair as to whether video evidence will be permitted and considered.
- It is at the discretion of the Tribunal Chair as to whether an umpire is required to be present to give evidence at a hearing. Reporting umpires are permitted to attend hearings at their discretion or if they are directed to by their league or umpire association.
- The tribunal shall endeavour not to dismiss any case on the grounds of a technicality but shall review the circumstances of the technicality and if necessary amend the original charge to reflect the expectations of upholding the integrity of the game and its laws.
- The Tribunal Chair has the right to admit or refuse entry to any person wishing to attend a hearing of the Tribunal.
- The Tribunal will always take an umpires evidence or witness statement as correct and accurate unless fairly and reasonably proven otherwise.
- The Tribunal will consist of 2 to 3 Tribunal Members for each case but may be reduced to 1 in extenuating circumstances.

### **Advocates**

- Any person attending a tribunal has the right to be represented by an advocate.
- An advocate may be any person representing a witness but shall not be a Practising Lawyer.

### **Procedure**

- The order of proceedings is at the discretion of the Tribunal Chair.
- A Tribunal may be adjourned at any time.
- Hearings are limited to the accused, victim and umpire. A second reporting umpiring may be called on if required by the chair.
- The cross-examination of witnesses is at the discretion of and must be conducted through the Tribunal Chair.
- Delivery of witness accounts can take place in front of other parties at the discretion of the Tribunal Chair.
- All persons involved can request to provide evidence without other parties present, however the Tribunal Chair will have discretion as to whether this is allowed.

### **Appeals**

- Appeal hearings act as the final decision of a matter and cannot be challenged.
  - A league or a penalised player/club are the only two parties that can appeal a decision.
  - League or Competition by-laws should be referenced in relation to grounds for appeal.
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## Penalties

- The penalty handed down for a guilty classifiable offence must exceed the prescribed penalty offered to the reported person unless reasonably proven to be classified incorrectly.
- Suspended sentences may form part of the suspension at the discretion of the Tribunal Chair.
- If found guilty the penalty handed down should fall in line with the standard range of penalties 'first offence' section.
- The Tribunal Chair has the discretion to apply the 'second offence' criteria to a person who has been found guilty of a reportable offence in the previous 12 months where appropriate and reasonable.

| Offence  | Category           | First Offence      | Second Offence |
|--|--------------------|--------------------|----------------|
| Striking   | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Kicking  | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Kneeing  | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Stomping   | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Charging   | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Rough Conduct  | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Forceful front on contact  | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Headbutt, biting or contact using head   | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Eye-gouging/unreasonable or unnecessary contact to the eye region                                    | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Unreasonable or unnecessary contact to the face  | Classifiable       | 1-5 weeks          | 2-10 weeks     |
| Scratching   | Classifiable       | 1-5 weeks          | 2-10 weeks     |
| Tripping   | Classifiable       | 2-10 weeks         | 4 – 20 weeks   |
| Intentional contact with an umpire   | Direct to Tribunal | 4 weeks – 2 years  | Life Ban       |
| Striking an umpire   | Direct to Tribunal | 2 years – 10 years | Life Ban       |
| Spitting on or at an umpire  | Direct to Tribunal | 1 year – 5 years   | Life Ban       |
| Spitting on another person   | Direct to Tribunal | 2 – 10 weeks       | 4 – 20 weeks   |
| Attempting to strike an umpire   | Direct to Tribunal | 1 year – 5 years   | Life Ban       |
| Instigator of a Melee  | Direct to Tribunal | 2 – 10 weeks       | 4 – 20 weeks   |
| Behaving in an abusive, insulting, threatening or obscene manner towards or in relation to an umpire | Direct to Tribunal | 2 - 10 weeks       | 4 – 20 weeks   |