

## **SCHEDULE B: DISCIPLINARY GUIDELINES**

A player will be deemed as reported if a field umpire witnesses an action deemed to be more serious than one which would warrant the punishment able to be given out during the match. Such on-field punishment should still be applied (e.g. free kick, 50m penalty, yellow/ red card). The field umpire should notify the player at the time of the incident as well as informing the club coach/ president at a suitable juncture (half time/ after the game).

The reporting field umpire should inform the head of umpiring/ league committee within 24hrs of the conclusion of the match of the report and give a written account with as much detail as possible about what they witnessed.

A player can also be reported by the league committee following a written complaint from a club or a league official. If such a complaint has less than suitable substantiation, the player will not be reported.

Once a player has been reported, a suitable and neutral person, from the league committee or umpires panel, will be appointed to oversee the matter. (Referred to as the “MO” for Matter Overseer). Primarily this will be the head of Umpiring or Chair of the league, unless they are the person who made the report.

It will be announced to the league by the MO, no sooner than the Monday following the incident but ideally on that day, that the player has been reported and that a standard 1 match penalty has been applied, and it should be stressed that the matter is still open. This figure is intended as a time-saving device only. It would apply appropriately to a general striking incident with no serious damage.

Such a request to look further into the matter must be made by written communication (preferably by email) with 24 hours of the initial announcement.

Once such a request, or multiple requests, has been made, the MO will again inform the league that a further decision is pending, and request statements from all possible persons. Otherwise, the MO will announce that the standard suspension applies and that the matter is closed.

A deadline for statements from persons should also be set out when they are requested.

If a request to reduce or overturn the penalty has been made, the matter must be settled before the next round of matches. Where a club has organised to play a match before the Saturday however, the player will not be able to play if the matter has not been dealt with by the time of the match, and no pressure should be applied to make a decision before the Friday.

If no request has been made to reduce the standard penalty, then the two-match penalty will stand as a minimum and the matter can be dealt with slightly less urgently.

In general, though, the Friday following the incident is the desired latest time to make such a decision. In the more serious of circumstances though, the League Committee can direct the MO to use whatever time is deemed necessary. If this takes the investigation into the following round, the player will be given or will be refused permission to play by the League Committee dependant on the circumstances.

In investigating a matter, the MO will gather all information and collate it, and present it to the MRO/MRP. Any member of the League Committee with a club bias should excuse themselves from such discussion.

The MO and the remaining League Committee members will then make the final decision and report it to the league. If the MO is not a League Committee member, they will still get a vote in deciding the matter.

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The matter is then considered closed and can only be reopened by the League Committee.

Any extraordinary circumstances can be considered by the League Committee to reopen a matter, but only with a strong reason why the information was not brought forward in the allotted timeframe, and it might be necessary for the League Committee to uphold the original decision over a round of matches before reopening the matter.

A suspended player will not be able to play until the player's club has competed in matches over the required number of rounds, regardless of the division of matches.

A player missing matches means being unable to play in any AFL London division or any associated AFL league, as per law 22.4.4 (AFL Europe Laws of the Game 2021).

### REPORTABLE OFFENCES

This sets out the different categories of Reportable Offences and appropriate sanctions and courses of action in respect of Reportable Offences.

The categories of Reportable Offences are as follows:

- (i) Classifiable Offences
- (ii) Direct Tribunal Offences (; and
- (iii) Low-level Offences

This is designed to be used by a Controlling Body (including any Match Review Panel, Match Review Officer or other person(s) responsible for assessing a Reportable Offence) to determine the appropriate category of offence, sanction or course of action prior to any Tribunal involvement.

Classifiable Offences - A Classifiable Offence is a Reportable Offence specified in Table 1 below which may be graded by a Controlling Body in order to determine an appropriate base sanction for that Reportable Offence. A full list of reportable offences can be found in the latest version of the AFL Europe Laws of the game (at time of writing 2021 edition, law 22.2.2)

<b>Table 1 - Classifiable Offences</b>
Charging
Unreasonable or Unnecessary contact to the Eye Region
Forceful front-on contact
Headbutt or Contact using the head
Kicking
Kneeing
Rough Conduct
Striking
Tripping
Unreasonable or Unnecessary contact to the head

Grading Classifiable Offences

<b>Table 2</b>			
<b>Conduct</b>	<b>Impact</b>	<b>Contact</b>	<b>Base Sanction</b>
Intentional	Severe	High/Groin/Chest	5+ Matches (Tribunal)
		Body	4+ Matches (Tribunal)
	High	High/Groin/Chest	4 Matches
		Body	3 Matches
	Medium	High/Groin/Chest	3 Matches
		Body	2 Matches
	Low	High/Groin/Chest	2 Matches
		Body	1 Match
Careless	Severe	High/Groin/Chest	4+ Matches (Tribunal)
		Body	3+ Matches (Tribunal)
	High	High/Groin/Chest	3 Matches
		Body	2 Matches
	Medium	High/Groin/Chest	2 Matches
		Body	1 Match
	Low	High/Groin/Chest	1 Match
		Body	1 Match

For the MRO/ MRP to arrive at a grading set out in Table 2, they must use the interpretation provisions set out in this document:

- (A) the Conduct is Intentional or Careless;
- (B) the Impact is Severe, High, Medium or Low; and
- (C) the Contact with the other Person is High/Groin/Chest or to the Body.

The MRO/ MRP may refer a Classifiable Offence directly to the Tribunal on the basis that:

- (A) it is a Classifiable Offence which the MRO/ MRP has graded as Severe Impact (together with any Contact or Conduct grading); or
- (B) it is a Classifiable Offence which attracts a base sanction that the Controlling Body finds inappropriate.

### **Determining the grading of Classifiable Offences**

(i) The Conduct will be graded as Intentional or Careless.

#### **(ii) Intentional Conduct**

- (A) A Person intentionally commits a Classifiable Offence if the Person engages in the conduct constituting the Reportable Offence with the intention of committing that Reportable Offence.
- (B) An intention is a state of mind and may be formed on the spur of the moment.
- (C) Whether or not a Person intentionally commits a Reportable Offence depends upon the state of mind of the Person when the Person engages in the conduct with which they are charged. What the Person did is often the best evidence of their intention. In some cases, the evidence that the conduct itself provides may be so strong as to compel an inference of what the Person's intent was, no matter what they may say about it afterwards. If the immediate consequence of conduct is obvious and inevitable, the deliberate engaging of the conduct carries with it evidence of an intention to produce the consequence. Return to Table of Contents 92
- (D) As an example, a strike will be regarded as Intentional where a Person delivers a blow to another Person with the intention of striking them.
- (E) The state of a Person'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. It is necessary to weigh the evidence of the Person as to what their intentions were along with whatever inference as to their intentions can be drawn from their conduct and/or other relevant facts. The Person may or may not be believed. Notwithstanding what the Person says, it may be able to be concluded from all the material that the Person intentionally engaged in the conduct constituting the Reportable Offence.

#### **(iii) Careless Conduct**

- (A) A Person's conduct will be regarded as Careless where it constitutes a breach of the duty of care owed by the Person. Each Person owes a duty of care to other Persons not to engage in conduct which will constitute a Reportable Offence being committed against those Persons.
- (B) To constitute 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.
- (C) Further, a Person will be careless if they breach their duty to take reasonable care to avoid conduct which can be reasonably foreseen to result in a Reportable Offence.

#### **(iv) Grading Impact**

The Impact will be graded as Low, Medium, High or Severe. In an assessment as to the level of Impact, the following factors will be considered:

- (A) the extent of force and any injury sustained by the Person who was offended against
- (B) the absence of injury does not preclude the classification of Impact as Low, Medium, High or Severe.
- (C) the potential to cause injury must be factored into the potential to cause injury, particularly in relation to the following conduct:

- (1) intentional strikes, such as those with a swinging clenched fist, raised forearm or elbow.
  - (2) high bumps, particularly with significant head contact and/or momentum.
  - (3) any head-high contact with a Player who has their head over the ball, particularly when contact is made from an opponent approaching from a front-on position; Return to Table of Contents 93
  - (4) forceful round-arm swings that make head-high contact to a Player in a marking contest, ruck contest or when tackling.
  - (5) any contact that occurs when the other Person should not reasonably be expecting or is not reasonably prepared for contact (i.e. contact off the ball);
  - (6) any dangerous tackle.
- (D) Low Impact is the minimum impact required for a Classifiable Offence which requires more than just negligible impact. However, the potential to cause injury may result in an upgrade to the level of Impact, including from negligible to a higher level of Impact.
- (E) strong consideration will be given to the distance the incident occurs from the ball and the expectation of contact of the other Person (especially in the case of intentional strikes);
- (F) consideration will be given not only to the impact between the offending Person and the other Person, but also any other impact to the other Person as a result of that impact.
- (G) the body language of the offending Person in terms of flexing, turning, raising or positioning the body to either increase or reduce the force of impact; and
- (H) the following Table 3 sets out base level Impact guidelines and provides a summary of applicable base level Impact guidelines for Low, Medium, High and Severe Impact incidents:

<b>Table 3</b>	
Low	<p>Player: Minimal or no impact on the Match - the Player continued to play most of the Match and suffered no or minimal ongoing issues.</p> <p>Person (other than Player): Person continued in their relevant capacity in relation to the Match for most of the Match and suffered no or minimal ongoing issues.</p> <p>The Impact grading may be raised under the potential to cause injury provisions</p>
Medium	<p>Player: Clearly some impact on the Player, and/or the Player left the field for a lengthy period of time, and/or some possible lower-level ongoing treatment(s) required.</p> <p>Person (other than Player): Clearly some impact on the Person, and/or the Person was prevented from continuing in their official capacity in relation to the Match for a lengthy period of time, and/or some possible lower-level ongoing treatment(s) required.</p> <p>The Impact grading may be raised under the potential to cause injury provisions</p>

High	<ul style="list-style-type: none"> <li>• High Player: Major impact on the Player, and/or the Player was unable to participate in the remainder of the Match, and/or major ongoing issues that require medical intervention and/or may miss some Matches.</li> <li>• Person (other than Player): Major impact on the Person, and/or the Person was unable to continue in their official capacity in relation to the Match for the remainder of the Match, and/or major ongoing issues that require medical intervention and/or may miss some Matches.</li> <li>• The Impact grading may be raised under the potential to cause injury provisions</li> </ul>
Severe	<ul style="list-style-type: none"> <li>• Person (including Player): Major impact and serious injury to the Person, and/or likely to miss a significant number of Matches.</li> </ul>

### Grading Contact (High/Groin/Chest, Body)

- (i) High Contact is not limited to contact to the head and includes contact above the shoulders.
- (ii) A classification of High Contact may apply to a Careless or Intentional Dangerous Tackle which has the potential for injury to be caused through dangerous high contact with the ground and where high contact does not actually occur.
- (iii) 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, including the testicles.
- (iv) Contact to the Chest means contact to the breast(s) of the other Person (Women only).
- (v) Where contact is both High and to the Body, it will be classified as High Contact.
- (vi) Where contact is both to the Chest and to the Body, it will be classified as Contact to the Chest (women’s only).
- (vii) Contact will be classified as High, to the Groin or, in the case of Women only, to the Chest, where a Person’s head, groin or chest makes contact with another Person or object such as the fence or the ground as a result of the Return to Table of Contents 95 actions of the offending Person. By way of example, should a Person tackle another Person around the waist and as a result of the tackle, the tackled Person’s head makes 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.

### Impact of a bad record on Classifiable Offence

- (i) The sanction for Classifiable Offences will not usually be automatically increased where a Person has a bad Tribunal record.
- (ii) Where a Person has been found or pleaded guilty to two low-level Classifiable Offences within a 12 month period (those Classifiable Offences with a base sanction of 1 match as per Table 2), any third or subsequent low-level Classifiable Offence (with a base sanction of 1 match as per Table 2) within the same 12 month period (as at the date of the offence) will result in a base sanction of 2 matches, with the Person able to accept 1 match with an Early Guilty Plea. For the avoidance of doubt, the Low-level Offences referred to in Clause 5 of this Appendix 1 will not be affected by this bad record provision.

- (iii) Directly refer a Person to the Tribunal as a result of the Person's bad Tribunal record. In this instance the Tribunal will not be bound by Table 2. Evidence in relation to the record of a Person may be tendered to the Tribunal without the leave of the Chairperson.

**No automatic reduction for exemplary record**

- (i) A Person will not receive an automatic reduced base sanction for their exemplary Tribunal record.
- (ii) If a Classifiable Offence is contested or referred to the Tribunal, a Person with a verifiable exemplary Tribunal record may argue that their Tribunal record constitutes exceptional and compelling circumstances (which may make it inappropriate to apply the sanctions in Table 2 to the determined classification). In such circumstances, the Tribunal may determine the appropriate sanction in its absolute discretion.

**Multiple offences in a single Match**

Where a Person is found guilty of multiple Reportable Offences from a single match, the individual sanctions must be added together to form the final sanction applicable to the Person.

**Injury**

The Controlling Body and the Tribunal can inquire and receive information as to the nature and extent of any injury suffered by a Person 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. A Club must provide a Medical Report upon request by the Controlling Body or Tribunal.

The medical report can come from a medical professional, through to the MO via the relevant club. The medical report needs to state the injuries suffered and the estimated length of recovery time for the player to be back healthy to be able to play.

**Direct Tribunal Offences**

(a) Which Reportable Offences are Direct Tribunal Offences?

Direct Tribunal Offences are those Reportable Offences which are referred by the MO directly to the Tribunal for determination without grading (i.e. without an assessment of the Reportable Offence using Table 2), including the following Reportable Offences:

Table 4 – Direct Tribunal Offences
Attempting to Strike an Umpire, Boundary Umpire or Goal Umpire
Behaving in an Abusive, Insulting, Threatening or Obscene Manner Towards or in Relation to an Umpire, Boundary Umpire or Goal Umpire
Eye Gouging
Intentional Contact with an Umpire
Spitting on Another Person
Spitting on or at an Umpire, Boundary Umpire or Goal Umpire
Stomping
Striking an Umpire
Serious Misconduct

(b) Determination of Direct Tribunal Offences

The Tribunal will determine a Direct Tribunal Offence. The Tribunal will determine the appropriate sanction for a Direct Tribunal Offence in its absolute discretion.

**Definitions of Terms in the Disciplinary Process**

**Match Review Officer** – this person is responsible for primarily grading offences and offering the appropriate sanction to the player through their club. In most cases this will be the Head of Umpiring for AFL London. If there is a conflict of interest, then this duty will be passed to an appointed member of the London Executive Committee.

**Tribunal** – This is a panel made up of 3 members appointed by the MO. Preferably this will be made up of 3 members of the umpiring panel, excluding any umpires who were involved with the incident in question. If this is not feasible, then the league executive will appoint neutral club Presidents or committee members to assist in the matter.