



The GV Executive has appointed an Independent Tribunal Chairperson for the 2008. He is Mr. Damien Hellard (former GV player/coach/administrator).

The Tribunal will be constituted as follows:

- Chairperson – (Non Voting)
- 3 Representatives from non-involved GV League Clubs – (Voting).

The Chairperson's position is a non-voting position; however he is encouraged to participate in the proceedings and deliberations of the GV Tribunal.

The Chairperson will oversee all procedures during the GV Tribunal hearing, including the reading of the charges and decisions.

In the event of the Independent Tribunal Chairperson being unavailable, the position will be filled by the GV President or his appointed representative.

The procedures (By-Laws) for the GV Tribunal are attached.

Regards,

G.J.Wilson,  
President,  
Gridiron Victoria



# GRIDIRON VICTORIA TRIBUNAL BY-LAWS

- A. The Referee of each GV match, sanctioned by the GV Committee, shall complete a 'GV Referee's Match Report' and submit it to the GV Secretary within 24 hours of the end of the weekends round of matches.
- B. The Referee shall include in such 'GV Referee's Match Report', the details of any person(s) subject to the rules, disqualified from the match.
- C. The Referee shall also include his comments on the conduct of any person(s) subject to the rules that occurs at any time on game day, which constitutes misconduct or a playing violation, is detrimental to the sport or otherwise contravenes the Code of Conduct by such person.
- D. In the event of any person(s) subject to the rules being disqualified, the Referee shall include in the report whether such disqualification mandates an automatic suspension under NCAA Playing Rules or GV Operating Rules and, at his sole discretion or with the input of his colleagues, whether it warrants referral to the GV Tribunal.

The automatic suspensions that are applicable are as follows, and apply to the club's next regular season or finals game(s):

<u>Reason for disqualification</u>	<u>Automatic Suspension</u>
Abuse of Officials (1 <sup>st</sup> Offence)	1 game
Abuse of officials (2 <sup>nd</sup> offence during a cumulative 3-year period)	2 games
Abuse of officials (3 <sup>rd</sup> offence during a cumulative 3-year period)	6 games
Abuse of officials (4 <sup>th</sup> or subsequent offence during a cumulative 3-year period)	Referral to tribunal
Illegal Metal Cleats	2 games
Fighting (After the end of 2 <sup>nd</sup> quarter)	1 <sup>st</sup> half of next game
Leaving the team area to participate in a fight or coaches or substitutes participating in a fight in the team area.	1 game
Fighting (2 <sup>nd</sup> offence during the season)	Remainder of the season

- E. If the referee, at his sole discretion or with the input of his colleagues, considers the prescribed disqualification to be inadequate for the offence, he must refer the matter to the GV Tribunal.
- F. If any person(s) subject to the rules is disqualified for a breach of the Code of Conduct, the matter MUST be referred to the Tribunal.
- G. Immediately upon receipt of the 'GV Referee's Match Report', the GV Secretary will advise the GV Tribunal Chairperson of any referral by the Referee.
- H. A club or individual, registered with GV may request a tribunal be convened, because they believe there has been an incident, outside the scope of the playing rules that brings the sport of Gridiron in Victoria into disrepute. Any such request must be lodged with the GV Secretary in writing or via email, within 24 hours of the incident taking place.
- I. The GV Com may if it so decides, instruct a tribunal be convened if they believe there has been an incident, outside the scope of the playing rules that brings the sport of Gridiron in Victoria into disrepute. Any such request will be decided in a timely fashion however will not be the subject of any time restriction.
- J. The request must detail the incident and include the date, time, place and individuals or group/s involved.
- K. A request by a club or an individual for a tribunal that is subsequently found by the GV Tribunal to be frivolous, mischievous or without substance may result in a charge of bringing the game into disrepute.
- L. The GV Secretary will notify the Club Secretary of the person reported, the VGOA if applicable and any witness if applicable, by email within 24 hours of the receipt of the Referees notification. Proof the email was sent is all that is required to prove service.
- M. The GV Secretary will also notify all other parties involved, via email, within 24 hours of the receipt of the 'GV Referee's Match Report', or 'Other Report'.
- N. Such notification will include the nature of the report, the charge/s preferred and the time, date and place the GV Tribunal is to be held.
- O. The details of the charge/s against the person reported will be the responsibility of the GV Executive. The GV Tribunal Chairperson has the power to rescind the charge/s if he sees fit and replace the charge/s with more appropriate charge/s.
- P. Where possible the GV Tribunal will sit no later than the Wednesday immediately following the incident.

- Q. The person reported MUST be present. If he/she is not present, a determination may be made in his/her absence.
- R. The person reported, if he is less than 18 yrs, is entitled to have one parent/guardian present supporting him at the tribunal. The parent/guardian must remain outside the tribunal room unless the Chairman agrees otherwise.
- S. The person reported is entitled to call one (1) witness only, (permission for additional witnesses, may be granted by the GV Tribunal Chairman, if considered reasonable) and present any other evidence in the form of dvd, video, photograph or other means, which will assist his/her case.
- T. The person reported shall provide any and all necessary electrical equipment in the presentation of his evidence and provide a copy for the GV Tribunal.
- U. Any GV Tribunal member (including the Chairperson) may question any witness. Any person reported or his representative (not both) may question any witness.
- V. The Reporting Person/Referee MUST be present. The GV Tribunal members and the person reported or his representative (not both) may question the Reporting Person/Referee or other person.
- W. After the presentation of evidence, the person reported, his representative and any witnesses shall retire and the members of the GV Tribunal will deliberate.
- X. The GV Tribunal may recall the person reported, or any witness, to question him/her further but always in the presence of the person reported and his representative, who may also ask further questions.
- Y. The GV Tribunal may make the following decisions and/or impose the following penalties:
1. Take no further action (i.e. the automatic suspension stands).
  2. Disqualify the person reported for a greater period than that prescribed by the NCAA playing rules or GV Operating Rules. The GV Tribunal may rule that the person is suspended for a specified number of matches (refer penalty guidelines attached), may suspend the person until a specified date, or may ban the person for any period, including life, from the sport in Victoria.
  3. Any other penalty the Tribunal deems necessary.

- Z. Any appeal from decisions of the GV Tribunal must be made via email, to the GV Secretary by 5pm on the day immediately following the GV Tribunal hearing.
- AA. Only 'New Evidence' will be accepted as grounds for an appeal. Such appeal must set out the 'New Evidence' to be relied upon at the appeal. The decision as to whether 'New Evidence' has been presented rests solely with the original GV Tribunal Chairperson.
- BB. The only valid grounds for an appeal against an automatic suspension are that the wrong player was disqualified, or that the wrong automatic suspension has been applied.
- CC. The fee for any appeal is \$200.00 and shall be paid to GV. The player will be refunded the fee if the appeal is upheld.
- DD. The GV Appeals Tribunal, where possible, will comprise the original GV Tribunal members.
- EE. Any appeal MUST be heard and determined prior to the participant's NEXT game.
- FF. An appeal against the severity of any suspension is permitted only where a penalty given is outside the recommended penalty guidelines.
- GG. The final penalties of the GV Tribunal that include a suspension of four (4) weeks or greater, shall be communicated to the VGOA and the Executive of Gridiron Australia with a recommendation that advice of such suspension be forwarded to member and/or affiliated associations.
- HH. Unless the Referee on his report indicates the need for a tribunal, any person reported to the GV Tribunal who enters a plea of guilty prior to the GV Tribunal hearing and thereby alleviates the need for a hearing, will be eligible for the lowest mandatory suspension.

If the reported person has been found guilty and served a suspension, in the previous 3 years, the length of suspension shall be at the discretion of the GV Executive but shall take into consideration, the early guilty plea, the reported person's prior record and any other matter that will assist in the making of that decision. Such decision shall be relayed to the person reported as soon as practicable.



## GRIDIRON VICTORIA TRIBUNAL PROCEDURES

- 1 The procedures contained herein are to be taken literally and cannot be altered or deviated from, without the express written consent of the GV Executive.
- 2 The Gridiron Victoria Tribunal, will be made up of the following:
  - 2.1. The Chairperson – Non Voting
  - 2.2. Three (3) representatives from non-involved GV clubs.
- 3 The following are also permitted to attend:
  - 3.1. The person reported.
  - 3.2. A club representative and or parent/guardian if less than 18yrs.
  - 3.3. One (1) witness called by the person reported.
  - 3.4. The 'Reporting Official(s)'.
    - 3.5. One (1) witness called by the 'Reporting Official(s)'.
      - 3.6. Additional witnesses and Association representatives if the GV Tribunal Chairperson grants special permission.
- 4 Legal Representation or advocates are **NOT** permitted to attend or be involved in the GV Tribunal procedures.
- 5 Any person who fails to attend, either as a person reported, witness or other person may be subject to penalty. (Exception: Where a person reported pleads guilty, or elects not to attend and notifies the GV Secretary, via email, prior to the Tribunal)
- 6 Any person, who, in the opinion of the GV Tribunal, gives false or misleading evidence, may be subject to penalty.

7 The GV Tribunal will consider the charge(s) to be preferred prior to the commencement of the GV Tribunal Hearing and if necessary alter the charge/s preferred to more appropriate charges.

## **8 Tribunal Hearings:**

- 8.1 Only the GV Tribunal members and the person reported, along with one (1) club representative, are permitted to remain inside the Tribunal Room. All witnesses and other persons are to remain outside, whilst the hearing is in progress and are not to enter the GV Tribunal Room until requested by the GV Tribunal Chairperson to enter.
- 8.2 The charge(s) will be read out in the presence of those parties eligible to be present. (Charge(s) are to be preferred under one of the 3 categories set out in clause 10.1.)
- 8.4 The person charged will be asked if the charge(s) is understood.
- 8.5 The person charged will be asked to enter a plea of either 'Guilty', or 'Not Guilty'. In the event of a team being charged, then only one (1) representative of that team will act as a spokesperson for the team, provided that;
- 8.5.1 An individual member may elect to speak on his/her own behalf.
- 8.5.2 When the Tribunal feels an individual is not responsible for the action, which is the subject of the charge, such individual will be exempt from any penalty imposed.
- 8.6 The Reporting Person/Referee will present the evidence of the incident. One (1) witness may be called. The GV Tribunal members or person charged or his representative (not both) may question any witnesses.
- 8.7 The person charged will present their defence. One (1) witness may be called. The GV Tribunal members or person charged or his representative (not both) may question any witnesses.
- 8.8 Where a person under the age of 18 years exercises their right to have an adult or observer/adviser present, the GV Tribunal shall provide reasonable time for consultation with such person.
- 8.9 DVD, Video or other electronic media evidence, if available, may be presented. It is the responsibility of the person presenting such evidence, to provide the equipment necessary to play the evidence and shall provide a copy of such evidence to the GV Tribunal.

- 8.10 The GV Tribunal or person charged or his representative (not both) may ask questions in relation to the electronic evidence and shall be afforded the opportunity to recall a witness in this regard.
- 8.11 All parties will be required to leave the GV Tribunal Room whilst the GV Tribunal deliberates.
- 8.12 The GV Tribunal Chairperson will announce the decision of the Tribunal, in the presence of all parties. A statement of how the penalty is to be assessed, shall be included if necessary.
- 8.13 No arguments, statements or other comments will be directed at the GV Tribunal on the reading of the decision.

## **9 Non-Attendance – Failure to carry out duties listed:**

- 9.1 If any person reported, official or witness fails to attend the Tribunal Hearing, the hearing will proceed in their absence, however such person reported, official or witness may be the subject of appropriate penalties.
- 9.2 If the person reported fails to attend, **BUT** notified the GV Secretary of their non-attendance, prior to the scheduled starting time of the GV Tribunal they shall be suspended until the date set by the GV Tribunal to hear the matter.
- 9.3 If the person reported fails to attend and **DOES NOT** advise the GV Secretary prior to the scheduled starting time of the GV Tribunal, the case **WILL** proceed in their absence, provided the GV Tribunal is satisfied that all notification procedures have been followed.
- 9.4 In any case of absence, the GV Tribunal shall adjudicate whether the reason offered for non-attendance is acceptable or not. If not acceptable a suitable penalty will may be imposed.
- 9.5 If a 'GV Com Official', 'Reporting Official/Referee' or 'Association Official', inadvertently fails to carry out any duties listed, the charge/s against the person will **NOT** be dismissed for this reason. It will be deferred to allow for the omission to be rectified within 24 hours.
- 9.6 Appeals against the severity of a sentence are permitted only where the original sentence is outside the recommended guidelines.



## **10 Penalties:**

10.1 All charges should be confined to the following categories:

### **10.1.1 Physical**

### **10.1.2 Verbal**

### **10.1.3 Other**

10.2 Suspended sentences are permitted for persons having a good record.

10.3 Fines, in lieu of suspensions for participants are NOT permitted.

10.4 Fines not exceeding one hundred dollars (\$100) may be imposed on a non-participant.

10.5 Fines not exceeding five hundred dollars (\$500) may be imposed on a team.

10.6 A player may be placed on a Good Behaviour Bond not exceeding one hundred dollars (\$100).

10.7 A team may be placed on a Good Behaviour Bond not exceeding five hundred dollars (\$500).

10.8 A penalty may be increased by up to a maximum of eight (8) matches if that person has incurred a previous penalty from the GV Tribunal.

10.9 An additional penalty of up to sixteen (16) matches may be incurred if injury is caused, contempt for GV Tribunal, or for any other 'special reasons' decided by the GV Tribunal and notified at the time the decision is announced.

10.10 More severe penalties may be imposed when a team or group is involved in a brawl.

10.11 Refusal of future admission of such teams or persons to the GV competition may be recommended to the GV Com.

10.12 Multiple charges arising from one incident shall be considered together.

## 11 Standard Penalties Guidelines:

**\*\*These penalties are guidelines only and the ultimate decision for what penalty is applicable rests with the Tribunal or in the case of a pleas of guilty, the GV Executive. \*\***

### 11.1 Physical:

Main Charge:	Assault player/coach/sideline staff/spectator	6 to 50 matches
	<b>(Includes but not limited to: punching, striking, kicking, elbowing, kneeing, spitting, assault with an object etc)</b>	
Lesser Charge:	Attempt Assault (as above)	3 to 25 matches
Main Charge:	Tripping (non ball carrier)	3 to 25 matches
Lesser Charge:	Attempt Tripping	2 to 12 matches
Main Charge:	Fighting	3 to 25 matches
Lesser Charge:	Wrestling	2 to 12 matches
Main Charge:	Assault GV Representative	5 years to Life Ban
Main Charge:	Assault Game Official	5 year to Life Ban
Main Charge:	Physical Contact of Game Official (other than assault)	3 to 25 matches
Main Charge:	Playing with Unnecessary Roughness	2 to 12 matches
Main Charge:	Violently Pushing	2 to 12 matches

### 11.2 Verbal:

Main Charge:	Use Threatening Language to Game Official	6 to 50 matches
Lesser Charge:	Use Threatening Language to Other Person	3 to 25 matches
Main Charge:	Disputing Decisions	2 to 12 matches
Main Charge:	Obscene Gestures	2 to 12 matches
Main Charge:	Offensive Language	3 to 25 matches
Lesser Charges:	Obscene Language	2 to 12 Matches
	Abusive Language	2 to 10 matches
	Insulting Language	2 to 8 matches

### 11.3 Other:

Main Charge:	Putting a Game Official in Fear of Impending Violence	6 to 50 matches
Main Charge:	Threaten Violence to any person	6 to 50 matches
Main Charge:	Unsportsmanlike Conduct	2 to 12 matches

Main Charge:	Fail to Attend Tribunal	2 matches
Main Charge:	Participating Whilst Under Suspension	Double Original Suspension
Main Charge:	Bringing the Game into Disrepute	2 to 50 matches
Main Charge:	Breach of the Code of Conduct	2 to 50 matches
Main Charge:	Giving False or Misleading Evidence to GV Tribunal	2 to 50 matches
Main Charge:	False, Frivolous, Mischievous or Without Substance Tribunal requests.	2 to 50 matches

**Note: The date when a suspended participant/team can resume the sport shall be fixed by the GV Tribunal on the basis that the participant/team will be debarred from playing for the number of matches appropriate to the penalty.**

## 12 Notification and Enforcement of GV Tribunal Decisions:

12.1 Details of decisions of any GV Tribunal Hearings shall be forwarded to the GV Secretary and subsequently circulated, without delay, to all 'Affiliated Associations'. (GA, VGOA & other member states etc) The decisions of any GV approved Tribunal Hearing, shall be enforced by all 'Affiliated Associations'.

12.2A person who is suspended, shall not be permitted to participate in any of the following GV sanctioned events for the duration of the suspension:

12.2.1 GV competition matches

12.2.2 GV practice matches

12.2.3 GV interstate matches

12.2.4 GA interstate matches

12.2.5 GA International matches

12.2.6 Any matches conducted by 'Affiliated Associations'

**The total number of matches a participant is suspended will ONLY be calculated on GV Competition matches, however the participant suspended is also NOT eligible to participate in any practice, interstate, international and Affiliated Association matches.**

12.3 Any suspension incurred in a GV competition, involving a number of matches, shall apply to the number of matches in which

their team participates and shall be in addition to any penalty currently in force under GV competition rules.

12.4A forfeit shall count as part of any suspension.

**Committee of Management,  
Gridiron Victoria.**