Umpire Requirements for a Tribunal Hearing

All umpires lodging a Notice of Report or Incident Referral should keep in mind there is a possibility the matter will proceed to Tribunal.

The regular schedule for Tribunal Hearings is Wednesday evenings, starting at 6.30pm. If two hearings are being held on the same night, the second hearing typically starts some time around 8pm. You will be notified within the Tribunal Hearing email of the hearing and start time.

When the Tribunal Administrator notifies you of a Tribunal Hearing, you will also be provided with your Notice of Report/Incident Referral and the Notice of Charge issued to the reported player. If there is footage associated with the report, that will also be provided.

- It is important to ensure you read the Notice of Charge. Additional details and/or amendments may have been made and any additional evidence included.
- The Notice of Report is not provided to the Tribunal Panel or Player Advocate and is not considered as evidence for the Tribunal Hearing.

Appointing an Advocate

- The AFL will appoint an Advocate to represent you at the Tribunal Hearing.
- The NSW/ACT Football Operations team will liaise with the Advocate and provide notes and guidance connecting the Notice of Charge to applicable AFL Policy.
- The AFL Advocates are volunteers in this capacity and have no direct connection to the AFL.
- If the Umpire has any questions regarding the Hearing details or procedure, please reach out to the Administrator who send the Tribunal Hearing email.

Attendance at Tribunal Hearing

- A hearing date and online meeting link will be provided to the Umpire, and any associated witnesses such as the offended against player will also be requested to attend and represented by the AFL Advocate.

Standard of Proof

- **Notice of Charge**: Decided on the **balance of probabilities**.
- **Notice of Breach**: Decided to **comfortable satisfaction** (a higher standard than balance of probabilities).

Entering a Plea & Tribunal Process

Pleading Guilty (Direct Tribunal Referral or Charge with Grading Challenge)

1. Witnesses leave the main meeting.
2. Reported Person gives evidence to the Tribunal.
3. Umpire/Prosecution witness presents evidence.
4. Cross-examination by Advocates and Tribunal Panel.
5. Witnesses may be recalled.
6. **Pre-Sentence Report reviewed**.
7. Advocate submits a penalty argument (e.g., mitigating circumstances, remorse).
8. Tribunal retires to consider penalty.
9. **Tribunal delivers decision and hearing concludes**.

Pleading Not Guilty (Contesting the Charge Entirely)

1. Witnesses leave the main meeting.
2. Umpire/Prosecution witness gives evidence.
3. Umpire/Prosecution witness is cross-examined.
4. Reported Person gives evidence.
5. Reported Person is cross-examined.
6. Witnesses are called in the following order:
    a. **Umpire/Prosecution Witnesses**:
        i. Questioned by Umpire/Prosecution Advocate
        ii. Questioned by Reported Person's Advocate
        iii. Tribunal may clarify points
    b. **Reported Person's Witnesses**:
        i. Questioned by Umpire/Prosecution Advocate
        ii. Questioned by Reported Person's Advocate
        iii. Tribunal may clarify points
7. Advocates provide closing summaries.
8. Tribunal deliberates and determines verdict:
    a. **Not Guilty**: Hearing concludes.
    b. **Guilty**:
        i. **Pre-Sentence Report reviewed**.
        ii. Advocate submits penalty argument.
        iii. Tribunal deliberates on penalty.
        iv. **Tribunal delivers decision and hearing concludes**.