

Submission Requirements for Tribunal Hearing

A Reported Person must submit the relevant appendix in full by the required deadline when appearing before the AFL NSW/ACT Tribunal. This applies if they are:

- Challenging a Charge
- Referred directly to the Tribunal

The Appendix must include:

- **Reported Person's details:** Name and contact information
- **Advocate's details:** Name and contact information
- **Written statement:** Either within the appendix or as a separate document
- **Additional Witnesses (if applicable):**
 - Name and contact information
 - Written statement
- **Supporting Evidence (if applicable):**
 - Medical documentation
 - Photos or footage of the incident or injuries

These documents will be shared with Tribunal members, the Chairperson, and the opposition Advocate. The Reported Person's Advocate will also receive all relevant evidence and statements on file.

Appointing an Advocate

- A Reported Person may be represented by a **Club Officer, barrister, or solicitor**.
- A Reported Person **may represent themselves**, unless a junior.
- A **parent cannot act as an Advocate** for their child in Junior Hearings.
- If the Reported Person is **under 18**, they must have a parent/guardian present as a **support person** (who cannot address the Tribunal or assist the Reported Person).

Attendance at Tribunal Hearing

- A hearing date and online meeting link will be provided to the **Advocate**, who must share this information with the Reported Person and any witnesses.
- The **Reported Person, their Advocate, and all witnesses must attend**.

- Witness statements will not be read into evidence unless **exceptional circumstances** prevent attendance.

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

The Advocate must discuss the plea options with the Reported Person before the hearing.

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.**