



# TRIBUNAL GUIDELINES

Referees



SEPTEMBER 2025

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# INTRODUCTION

If either you or your fellow referee have reported an individual or team and you are now required to attend a tribunal, the following information should assist you in the process and preparation so you can feel confident attending a hearing.

Tribunals are typically arranged for more serious offences (minor offences are managed through an early and often reduced penalty offer to a reported person or team).

## **HOW DO I PREPARE FOR THE HEARING?**

Preparation for the hearing is just as important as the hearing itself. You should refresh your memory from the Report Form just to make sure it is accurate and as a reminder of what occurred. If you are not the reporting referee, your version of events may differ from the report form. This is normal, and you should only recall your version of events, even if it does not align with the written report.

## **SHOULD I TYPE UP A STATEMENT TO READ OUT LOUD?**

Yes, if you haven't included it in your original report, it is recommended referees type a detailed version of what occurred. This could include further information regarding the players, teams and other observations such as specific language used. Having it typed up to read is often more efficient and reduces the amount of pressure in the moment of trying to remember and order all the events, especially, if it is a complex incident or there are multiple reports.

Keep your evidence to only the events that you have seen, heard or felt and don't include information that other people have shared with you.

## **WHAT IF THERE IS VIDEO FOOTAGE?**

If there is video footage of the report, also review the video footage. Video footage often does not include audio, so evidence of what you heard is even more important when footage is used.

## **WHO DO I TALK TO IF I HAVE MORE QUESTIONS?**

To help with your preparation, feel free to ask your Referee Supervisor, Coach or Program Manager for support, and if you are under 18 years of age, include your parents as you work through your thoughts and reflections.

## **WHAT TIME DO I ATTEND?**

Please make sure you arrive at least 10 minutes early before the scheduled start time of the hearing. If you are the junior referee, there will typically be a senior referee or supervisor as a support person, so find this person and the other referee to speak with before the hearing.

The reported person or team will also be waiting for the tribunal to commence, and we recommend you don't engage with them and keep yourself at a separate distance.

# ATTENDING THE HEARING

## **CAN I HAVE A SUPPORT PERSON?**

If you want to have a parent or support person attend then this is recommended and they will be able to sit in the hearing and observe, however they will not be allowed to address the tribunal.

## **WHAT IF I AM UNDER 18 YEARS OF AGE?**

If you are under 18 years of age, you are able to have an adult representative called an advisor. The role of the advisor is to assist the referee, but the advisor cannot give the referee's evidence of the event, only the referee can do that. We suggest your representative be the senior referee who is supporting you in the hearing as they have experience with the process for hearings. You could also choose a parent or any other adult that you feel comfortable and safe with.

## **WHAT IF I FEEL UNSAFE?**

If you feel unsafe, you may request that your evidence be given separately. Explain what makes you feel unsafe to the Chairperson prior to tribunal and they will determine how best to manage any perceived risks. This may mean having the hearing over video conference, or in rare occasions hearing the evidence independently in another room. The charged person has a right to cross examine evidence by the referee, however the Chair will ensure that questions relate only to the evidence and not about the competence of the referee.

## **WHO ELSE ATTENDS THE HEARING?**

Those who attend the hearing are:

- 2 or 3 tribunal panel members
- The referees
- Any witnesses supporting the referee's report
- The reported individual or a representative of a reported team
- Any witnesses supporting the reported individual or team
- The support people of the referees and/or reported individual/representative
- Other observers may be in attendance to monitor the proceedings, but they may be removed if it is deemed they are detrimental or disruptive to the hearing.

## **WHERE ARE THE HEARINGS?**

The hearings are held either in person at the location advised by the Association or online through a video link and you will be given the location when you are notified of the hearing details. Typically they are held at a conference room of a stadium or local venue when they are conducted in person.

If you are attending an online hearing it's important to be in a private space where you can easily be seen and heard by the tribunal with no background noise and no one else present unless they are identified and approved by the Chairperson.

## ATTENDING THE HEARING (CONTD.)

### HOW LONG DOES A HEARING GO FOR?

This regularly changes depending on the complexity of a report. It is usually around 45 minutes, but can be quicker if the reported people plead guilty and accepts responsibility, or it could be longer if it is multiple reports with many witnesses to hear from.

### START OF THE HEARING

There are certain procedures that the Tribunal must follow at the hearing. While the Tribunals are normally conducted in an informal manner, ultimately how they are run is at the discretion of the Tribunal and in particular, the Chairperson. The following is the process of the hearing:

### INTRODUCTION OF TRIBUNAL PANEL MEMBERS

The hearing will commence with the Tribunal Chairperson introducing the Tribunal members and asking the reported person or the representative of a reported team if there is any objection to any of the Tribunal members hearing the matter. It is rare that an objection is taken but occasionally there is a conflict of interest or history between a member and the reported person or the referee. If objection is taken, the Tribunal members will discuss the objection in private and make a decision on whether the Tribunal member may hear the matter or stand down. It is rare for a tribunal member to stand down. More commonly the nature of the objection is simply noted and the tribunal continues. These matters are normally sorted out before the hearing with members facing a situation where it would be inappropriate to sit and disqualifying themselves.

### READING AND PLEA TO CHARGES

The Chairperson will then read the charges and ask the reported person if they understand them and ask the referee if the charges reflect what was intended.

The Chairperson will then ask the reported person to plead guilty or not guilty to each of the charges. If the plea is guilty, the referee's job is much easier with minimal or no evidence to be given, other than to confirm the information in the report.

Once the pleas have been given, and if there is a "not guilty" plea, all witnesses are excluded from the hearing room. The reporting official and the reported person and any observers may stay in the room for the entire hearing. This means if you are the non-reporting referee you are a witness. You will leave the room until you are called in to give your version of events, usually within 15 minutes.

If the reported person pleads guilty to all charges, the tribunal chairperson may keep everyone in the room and run a more informal process.

### REPORTING REFEREE GIVES EVIDENCE

If the report is thorough, sometimes the Chairperson will ask if the referee has anything to add to the written report. The reporting referee may not wish to add any detail, or may have a few notes to clarify the report. Tribunal members may ask questions to further clarify their understanding of the incident.

The reporting referee may then be questioned on their evidence by the reported person, usually through the Chairperson (or if they are under 18 years of age, by their advisors). Questions must be courteous and may not draw attention to perceived errors of a referee. The Chairperson will interrupt if questions do not

## ATTENDING THE HEARING (CONTD.)

relate to the evidence. In some cases where the incident was heated, the Chair may advise the reported person to include their questions in the form of a statement when they give their own evidence. This assists in the tone of the hearing, but also protects the reported person from a contempt charge.

The tribunal members will also help with the questions designed to reduce the pressure of the situation. If you are unsure whether to answer a question asked by the reported person, please ask the Chairperson.

The tribunal members may interrupt during the evidence and questioning. This is not to be disrespectful, but to seek clarification or keep the evidence on track.

To reduce the stress of remembering information, it is recommended referees have a copy of their report and statement available to refer back to.

### **NON-REPORTING REFEREE AND WITNESSES GIVE EVIDENCE**

The non-reporting referee is called into the room and gives his/her version of events, and then any other witnesses who support the report form, usually within 15 minutes. The non-reporting referee and witnesses may then be questioned on their evidence by the reported person (or if they are under 18 years of age, by their advisor).

If you are unsure whether to answer a question asked by the reported person, please ask the Chairperson.

The tribunal members may interrupt during the evidence and questioning. This is not to be disrespectful, but to seek clarification or keep the evidence on track.

To reduce the stress of remembering information, it is recommended referees have a copy of their report and statement available to refer back to.

### **REPORTED PERSON GIVES EVIDENCE**

Next, the reported person gives evidence and may be questioned by the reporting referee at the end of their evidence. This will often be a statement which is read out.

The reporting referee is then permitted to ask questions of the reported person, generally through the Chairperson. The Chairperson may ask questions in order to determine evidence is in dispute, and which evidence is agreed.

### **REPORTED PERSON WITNESSES GIVES EVIDENCE**

The reported person's witness(es) are then called to give evidence and may be questioned by the reporting referee at the end of their evidence.

### **OTHER EVIDENCE**

If there is other evidence, such as video footage, the tribunal may choose to share it with everyone now, or they may look at evidence privately later on using the evidence provided as a reference point.

### **END OF ALL GIVEN EVIDENCE**

At the end of all the evidence, the Tribunal may give the referee and the reported person an opportunity to make a final statement to the Tribunal. The Chairperson will sometimes summarise the points of difference prior to deliberations.

## ATTENDING THE HEARING (CONTD.)

### **TRIBUNAL MEMBERS DECIDE GUILTY OR NOT GUILTY OF CHARGES**

All persons will then be asked to leave the room while the Tribunal considers its decision.

### **IF REPORTED PERSON IS FOUND GUILTY OF ANY CHARGE/S**

The Tribunal will call everyone back into the room and if the Tribunal finds the reported person guilty of any charge it will then give the reported person an opportunity to make a final submission on the appropriate penalty. This includes previous charges against the reported person, years played, other responsibilities such as coaching and umpiring, other sports played etc. Very occasionally the referee will also be asked for a statement regarding the impact of the incident on their own duties.

### **TRIBUNAL MEMBERS DECIDE PENALTY OF GUILTY CHARGES**

The Tribunal will then again ask everyone to leave whilst the Tribunal sets the penalty.

### **FINAL PENALTY**

The Tribunal will call everyone back into the room to inform the reported person of the penalty decided. The reported person will be given appropriate paperwork and asked to leave while the referees are usually asked to wait behind to allow separation.

The Tribunal may provide words of encouragement, insight or feedback to the referees before the referees and referee support people leave.

## APPEALS

The only person who can appeal a decision is the reported person, and only on very limited grounds. Very few appeals are granted, but where they are, there will need to be a rehearing.

### **REFEREES UNHAPPY WITH DECISION**

Referees should not take decisions personally as the decision is made on the evidence provided which is not always complete. Referees should accept the Tribunal's verdict as the referee's job is to make the report and present the evidence to sustain the report.

Tribunal Chairs are often open to questions from the reporting referee to improve the process, particularly immediately after the hearing. They may even explain how the decision was made, and now penalties are applied. Often they do this within the tribunal hearing itself.

If you feel hard done by or aggrieved by the penalty, then please speak with your Referee Advisor as we do not want these feelings to affect your ability or confidence to referee or, if required, submit future reports.