

INVESTIGATIONS PROCEDURE



A club has a right to send in an official investigation request to the league to have an on field matter that has not been referred to the tribunal investigated by an independent source. The following procedure will need to be followed by clubs if they wish to raise an investigation. It is important the clubs follow every step or the investigation will not be able to proceed. There are specific time frames and policies around investigations that must be adhered to.

Step 1 – The initial incident

If clubs believe of an incident warranting disciplinary action has occurred the first step will be for a club executive to gather all information relating to the incident. This includes any witnesses, footage (video/photographic) and to inform the player that the club will be pursuing this matter.

Please note: The league cannot investigate incidents without the club following proper procedure. In cases where parents or individuals are disgruntled and send in communication to the league reporting an incident and demanding action. The league can only pursue an investigation if the club sends through all official document and follow all time frames and procedures.

Step 2 – Fill out the Incident Report form and submit to the league operations co-ordinator

The incident report form is critical for the league when appointing the investigations officer the form must be submitted within five (5) days of the alleged incident. Failure to do so will mean the case will be unable to go ahead, unless for extraordinary circumstances.

The report form will require player name, jumper number, match it occurred in, witness details, club contact details, offending player information (if known) and a full report on the incident and any potential injury that occurred.

A deposit of \$500 must accompany the Incident Report form to proceed. Failure to do so will mean the investigation will not go ahead.

Please note: In most cases the league will lose money on an investigation. The deposit is there to cover the cost of the investigator and tribunal. Even if the case goes to tribunal the offender may not be found guilty and the league will be required to pay these costs.

Please see extract from AFL Victoria 2021 Handbook

The League, League Executive members, Club, Player, League or a AFL Victoria Country appointed official, who alleges that a player or an official of a club, umpire, Official of an umpires' Association, AFL Victoria Country Official, League official, Club, player advocate, or League appointed Official has been guilty of conduct which is unbecoming to a player, umpire, such Official, or club, or which has or is likely to bring the game of football into disrepute, may lodge with the League a Notice in writing setting out particulars of the allegation. Unless the notice is lodged by the League a **deposit of \$500 shall accompany the notice** which shall be forfeited in whole or part in the event that the Investigation Officer or Independent Tribunal considers it frivolous. **A Notice under this paragraph must be lodged with the League within five days after the date of the act or omission** to which it relates

Step 3- Hiring the Investigator

After receiving both the form and deposit the league will hire a qualified independent investigator. The investigator will have a set time frame from when the report is sent to them to investigate the incident. They will follow a similar procedure as below

1. The Investigation Officer is instructed by the League Secretary to investigate the matter. The League Secretary supplies all relevant details regarding the alleged incident.
2. The Investigation Officer views video of alleged incident (if available). **Video and photographic evidence must be shown to the investigator. Failing to do so will mean the evidence cannot be used at the tribunal.**
3. The Investigation Officer interviews all witnesses (players, umpires, Officials, spectators) pertaining to the matter taking a written copy of the interview. It is recommended that the interview be conducted in Question and Answer format. For example: Investigation Officer: Are you player (name) the wearer of number of Club who played in game (Club) vs (Club) on (date) at (Venue) (can be modified for non-player witnesses). Player/Official/Other: Responds. Investigation Officer: It has been alleged that (description of alleged incident). What did you see of the alleged incident? Player/Official/Other: Responds. Investigation Officer: Asks further questions relevant to the alleged incident in order to obtain as much detail as possible. At conclusion of interview Investigation Officer reads a copy of the interview to the witness who agrees to content of interview and signs copy of interview.
4. The Investigation Officer submits all correspondence relating to the matter to the League Secretary with a recommendation as to whether the matter should be dealt with by the League Independent Tribunal. In the conduct of the investigation and in making the recommendation the Investigation Officer should have an open mind with any doubt regarding the events of the incident being considered in favour of the investigated player or Official.

Step 4- The investigation report

After the investigation period the investigator will submit a report to the league for review.

This report will be viewed by the league and actioned. If the alleged offending player/official is not sent to tribunal then the deposit placed by the club will be forfeited as the case will have been found frivolous.

The investigator can recommend that the League offer a set penalty if an offence falls under one of the charges in the AFL Victoria notice of report sheet. The other options are recommending that the case be heard by an independent tribunal or recommending that the player has no case to answer. The League can review the findings and report and follow the recommendation or make an independent decision.

Step 5- Independent tribunal

If the alleged offending player/official is charged with Rule 5.0 unbecoming conduct (for full information see the AFL Victoria Handbook), they will be sent an official letter via the club informing them of the charge. An independent tribunal will be assembled and they will make arrangements with the alleged offending player/official.

Step 6- Outcome

The outcome of the independent tribunal will be sent to the league. If the player is found guilty any suspension/fine will be imposed by the league. If the player is found not guilty there will be no further action from the league.