

# DISCIPLINARY APPEALS PROCEDURE

## 1. Purpose

This Appeals Procedure outlines the process for appealing a decision by the Disciplinary Panel. It is designed to ensure that all appeals are handled in a fair, transparent, and timely manner, consistent with principles of natural justice and integrity in sport.

## 2. Right of Appeal

A person who has been sanctioned by the Disciplinary Panel has the right to appeal the decision, except where the penalty imposed is a **one (1) match suspension**, which is final and not subject to appeal. Appeals may only be made in accordance with this procedure.

## 3. Grounds for Appeal

An appeal may only be lodged on one or more of the following grounds:

- a. **Procedural Error** – A significant departure from established procedures that may have affected the outcome.
- b. **New Evidence** – Evidence that was not reasonably available at the time of the original hearing and could have materially affected the decision.
- c. **Disproportionate Sanction** – The penalty imposed was manifestly excessive or inappropriate relative to the offence.
- d. **Error in Interpretation** – The Disciplinary Panel misinterpreted or misapplied the relevant rules, regulations, or policies.

**Appeals that seek to simply re-argue the original case without satisfying one of these grounds will not be accepted.**

## 4. Non-Appealable Decisions

The following decisions are final and not subject to appeal:

- a. Suspensions of one (1) match
- b. Findings where the participant has accepted the charge and penalty in writing
- c. Administrative or technical decisions not involving a disciplinary sanction

## 5. Lodging an Appeal

To be valid, an appeal must:

- a. Be submitted in writing and/or by email to the designated Appeals Officer
- b. Be lodged within **2 hours** of the written disciplinary decision being issued
- c. Clearly state the decision being appealed, the specific grounds for appeal, and detailed reasons supporting the appeal
- d. Include a **\$250 appeal deposit** payable at the time of lodgement

Appeals that do not meet all requirements may be rejected.

## 6. Appeal Deposit

The **\$250 appeal deposit** is refundable only if the appeal is upheld in whole or in part. If the appeal is dismissed, the deposit is forfeited and retained by the organisation to cover administrative costs.

## 7. Appeals Panel

Appeals will be determined by an Appeals Panel consisting of at least three independent members. Panel members must not have been involved in the original decision and should collectively possess appropriate experience in governance, law, or sport integrity matters. All members must declare any actual, potential, or perceived conflicts of interest and must stand aside where a conflict exists.

## 8. Nature of an Appeal

An appeal is not a re-hearing of the entire case. It is a review of the original decision based only on the stated grounds of appeal. The Appeals Panel may review documents and evidence from the original hearing, consider new evidence where permitted, seek written submissions, and conduct a hearing (in person or online) if necessary.

## 9. Powers of the Appeals Panel

The Appeals Panel may:

- Dismiss the appeal and uphold the original decision
- Vary the sanction (**increase or decrease**)
- Overturn the decision and remove the sanction
- Refer the matter back to a new Disciplinary Panel hearing if a serious procedural error occurred

**The decision of the Appeals Panel is final and binding.**

## 10. Natural Justice and Procedural Fairness

All appeal proceedings will be conducted in accordance with principles of natural justice and procedural fairness, including:

- The right to be heard
- The right to an unbiased decision-maker
- Decisions based on relevant evidence
- Provision of written reasons for decisions

## 11. Status of Sanctions During Appeal

Unless the Appeals Panel determines that exceptional circumstances exist, sanctions will remain in effect while an appeal is pending.

## 12. Standard of Proof

The Appeals Panel will apply the same standard of proof used in the original hearing, generally the balance of probabilities, taking into account the seriousness of the allegation.

## 13. Notification of Decision

The Appeals Panel will provide a written decision (via email), including reasons, within a reasonable timeframe, ideally within 2 days of the appeal hearing or final submissions.

## 14. Finality

The decision of the Appeals Panel is final and binding. No further internal appeal is available.