



Water Polo
AUSTRALIA

**NATIONAL SANCTIONING
POLICY**

REVIEW HISTORY

Version	Revision No.	Date Reviewed	Date Approved	Content Reviewed/Purpose
1	2019	Feb 2020	Mar 2020	The National Sanctioning Guidelines were first introduced for WPA events for the 2021 season. They were applied only to WPA events and State Associations had the option of using if they wished.
2	2022	Feb 2022	Mar 2022	WPA conducted a review of the National Sanctioning Guidelines after the Summer Slam, improving the process and management of the Inappropriate Contact allegations.
3	2022	Sept 2022	Nov 2022	Guidelines re-drafted and upgraded to be a Policy document

Briefing Note

This Policy document is the first ever National Sanctioning Policy and will be implemented from December 1, 2022, under a trial phase through to June 30, 2023. A review of the effectiveness and implementation of the Policy will include key stakeholders and look at, but not be limited to the following parameters:

1. Operation of the National Internal Tribunal Panel, central log of matters, consistency of application.
2. Application and management of Suspensions across multiple jurisdictions and the ability to manage these.
3. The effectiveness of the Revsport Competition Management system in tracking Suspensions.
4. Impact on Member behaviour relating to this Policy.
5. Review case studies that did not fit this Policy.
6. Consider alternate sanctions for specific offences, such as mechanisms for Offenders to give back to the water polo community in an appropriate manner.

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1. DEFINITIONS AND INTERPRETATION

The definitions in the Water Polo Australia (WPA) Limited constitution apply for the purposes of interpretation of this Sanctioning Policy where the same capitalised terms are used.

Further, for the purposes of this Sanctioning Policy, the following terms shall be ascribed the corresponding meanings:

Applicant refers to a player who lodges a Misconduct - Inappropriate Contact claim in relation to an incident that occurred within a game.

Appellant refers to an Offender who Appeals or applies to appeal a decision and is a relevant term during the Appeals process.

Charge Notice means a notice (in the form set out in Appendix 2, 3 or 4) charging a Member with an Offence.

Coach means any person who undertakes any type of coaching role at the time when their behaviour is deemed to be an Offence under Clause 4 of this Policy.

Competition in this Policy means a format of competition where teams play on non-consecutive days, as opposed to a Tournament, where teams may play games on two or more consecutive days.

Competition Manager means the person assigned by the Organisation to manage specific competitions, events or tournaments.

Constitution means the constitution of the Organisation, adopted by the Member Organizations and as subsequently amended, modified or replaced from time to time.

Event means any activity that is coordinated or sanctioned by the Organisation but does not meet the definition of Competition or Tournament. This includes but is not limited to training camps, awards and functions.

Incident Review Panel (IRP) means the group established in accordance with clause 10 to review all Misconduct – Inappropriate Contact offences to recommend a suitable penalty.

Internal Tribunal means an internal hearing tribunal established by a Water Polo Australia or a relevant member organisation of Water Polo Australia by selecting members from the National Internal Tribunal Panel.

Mandatory Reporting means the legislative requirement for specific people or groups of people to report suspected cases of child abuse, a summary of which is available [here](#).

Member refers to the person against which a charge notice is issued, before any determination of guilt is established. If found guilty, either by the Internal Tribunal or by admission the Member becomes an Offender.

Member Organisation refers to the entities that are identified as the voting members in the relevant Organisation's Constitution

National Internal Tribunal Panel means a panel of appointed persons, who may be called upon to form an Internal Tribunal to hear matters across any jurisdiction via a virtual communications platform.

Offence means an offence listed in clause 4.

Offender means the person who is found guilty by admission or by the Internal Tribunal and accepts a Sanction as outlined in a Charge Notice.

Official means a person appointed by the Organisation or their representative as a delegate, referee, goal judge, table official or any other appointed official role at a water polo match.

Organisation means the governing body responsible for the delivery of the Competition, Tournament or Event, in respect of which this Policy is invoked.

Penalty Points means the points allocated to each Offence as described in clause 4, from which the penalty for an Offence by a Member is to be determined. The Competition Manager, when drafting the Charge Notice, and the Internal Tribunal if the matter is referred, may consider adjusting the Penalty Points down based on the number of games in the Tournament to reflect the difference between Tournaments and Competitions.

Prohibited Conduct means the conduct defined as such under the National Integrity Framework (NIF) Policies. The types of conduct deemed prohibited is defined specifically relevant to each NIF Policy.

Respondent refers to the Member, against who, a claim of Misconduct – Inappropriate Contact has been lodged.

Round means the number of games within a specific Tournament that a suspension applies to as defined by the Internal Tribunal

Suspension means the sanction imposed on an Offender either by the Offender accepting the Charge Notice or via an Internal Tribunal process. The

Suspension Period means, where the suspension includes but is not limited to a Competition, the time from the commencement of the suspension, up until 11:59pm on the specified end date at which point the period of suspension ends. For the avoidance of doubt the Suspension Period may include multiple Rounds of a Tournament if the duration and timing of the Suspension requires such.

Sanctioned Event means any water polo related event, which is undertaken by Members of the Organisation to which this policy relates.

Sanctioning Policy means this “Sanctioning Policy” including the Appendices applicable as amended from time to time.

Season means the period commencing on 1 September each year to 31 August of the following year.

Tournament in this Policy means a format of competition where teams play games over two or more consecutive days as opposed to a Competition which is played on non-consecutive days. For the avoidance of doubt, Competitions includes any Sanctioned Event that does not meet the definition of a Tournament. For the purpose of this Policy, the Australian Waterpolo League (AWL) will be deemed a Tournament.

Water Polo Activities means any activity connected to water polo including but not limited to playing, coaching, refereeing and officiating. Water Polo Activities collectively included Tournaments, Competitions and Events as defined in this Policy.

2. INTERPRETATION

In these Sanctioning Guidelines:

- a. Headings are for convenience only and do not affect interpretation.
- b. Any reference to a gender indicator is inclusive of all gender identities and sex characteristics.
- c. The singular includes the plural and vice versa.
- d. Where a word or phrase is defined, its other grammatical forms have corresponding meanings.
- e. A reference to a rule or sub-rule is to a rule or sub-rule, as the case may be, of this Sanctioning Policy unless stated to the contrary.
- f. A mention of anything after “include”, “includes” or “including” does not limit what else might be included.
- g. A reference to a “person” includes a corporation, incorporated association, trust, partnership, unincorporated association or other entity, whether or not it comprises a separate legal entity.
- h. Nothing in this Sanctioning Policy shall prevent the hearing of two or more matters jointly where the Chairperson forms the view that it is necessary or desirable to do so in the interests of fairness and/or efficiency in the due dispatch of the Sanctioning Policy’s functions.

3. PURPOSE

The purpose of this Sanctioning Policy is to provide a consistent, nationwide framework for sanctioning Players, Coaches and Officials for Offences committed during or related to a game of water polo; and to ensure the sport of water polo is played in a manner consistent with Code of Conduct, other relevant Policies and upholds the behaviours identified in the Think.Act.Play guidelines.

To whatever extent this Policy does not apply in relation to specified conduct or matters, the following documents apply.

1. [National Integrity Framework \(including all related policies and addendums\)](#)
2. [WPA Conduct and Disciplinary Policy](#)
3. [WPA Code of Conduct](#)
4. [WPA Review and Appeals Policy](#)
5. [WPA Personal Grievances Policy](#)

WPA may vary this Policy at any time in accordance with the authority conferred by the current WPA Constitution and such amendments shall be binding with immediate effect.

4. COVERAGE

- a. This Sanctioning Policy addresses the Offences listed in clause 4 which includes, but is not limited to, breaches of FINA Rules of Water Polo.
- b. This Sanctioning Policy is designed to deal with:
 - i. offences involving Players, Coaches and Officials participating in any Competition, Tournament or Event sanctioned by the Organisation;
 - ii. matters directly related to the game, that fall under the authority and adjudication of the Officials;

- iii. incidents that occur in and around the playing of the game, specifically referenced in Clause 5. This may include but is not limited to the warm-up, game time, breaks, or post game formalities (e.g., handshakes), that are directly connected to the game.
- c. This Sanctioning Policy is not designed to deal with incidents that occur once the players, teams and Officials leave the field of play or prior to them arriving at the field of play. If an incident occurs in the same precinct after a game, within, around or outside of the facility, it does not fall under this Sanctioning Policy. Any incident that occurs outside of the scope of the Sanctioning Policy shall be dealt with under the relevant Policy within [WPA National Integrity and Policy Framework](#). It is the responsibility of the parties involved in such incidents to refer them to the Organisation or [Sport Integrity Australia](#), as the circumstances dictate.
- d. It should be noted that there may be some alleged offences that occur during a game, that may reach the threshold of Prohibited Conduct as defined within the respective Policies of the National Integrity Framework. If this is the case the matter will be dealt with through the appropriate policy. All Competitions and Tournaments sanctioned by the Organisation are covered by this Policy.

5. PENALTY POINTS SCHEME

Offence – applicable to Players, Coaches, Managers and Officials	Grade	Offence Description	Offence Guide (not limited to)	Penalty Points
1. Misconduct	1	Unacceptable Language	Unacceptable language directed at anyone during general play and includes foreign language.	Minimum 75 points
	1	Disrespect	A demonstration of disrespect during general play directed at anyone.	Minimum 75 points
	1	Other	Any other occurrences determined by the reporting Official.	Minimum 75 points
2. Indirect Red Card – Head Coach	1	Coach incurs a red card for player’s behaviour	If a player receives a red card during a game, the Head Coach receives a yellow card. If a second player from the same team, receives a red card in the same game, the Head Coach also receives a red card and is unable to coach the remainder of the game. The Head Coach is <u>not</u> suspended for the next game, nor do they have to appear before the Internal Tribunal. Further player red cards will then apply to the Assistant Coach who steps in for the Head Coach in the same method.	Removal from remainder of current game only
3. Misconduct <i>Player, Coach, Manager or Official – automatic Misconduct and minimum 150 points</i>	2	All of Grade 1	Dependent on severity of offence.	Minimum 150 points
	2	Unacceptable Language	Unacceptable language directed at anyone during general play and includes foreign language.	Minimum 150 points
	2	Disrespect	Continuous disrespect, during general play to anyone, or refusal to comply with the reasonable directions of an Official.	Minimum 150 points
	2	Other	Any other occurrences determined by the Officials including behaviour against the Think.Act.Play guidelines or likely to bring the game into disrepute.	Minimum 150 points
	2	Foul Play	Aggressive or persistent foul play as determined by the Officials.	Minimum 175 points
4. Misconduct – Inappropriate Contact	N/A	Inappropriate Contact	<i>Action including without limitation any contact with another player where such contact does not fall under the definitions of “foul/rough play” or “Violent Action”, but nonetheless is contact with another player which could reasonably be deemed (a) non-accidental, reckless or careless; and (b) engaged in by the</i>	* Review by IRP Scope for penalty of up to 175 points

			<i>perpetrating player for no proper purpose; and (c) not contact of the type or kind that would under any reasonable circumstances be contact that would be expected to occur in a game of water polo. Inappropriate Contact allegations may be lodged by a player against another player, if they are not seen or reported by an Official.</i>	
5. Violent Action		Violent Action	Including without limitation, to play in a violent manner, kicking, striking or attempting to kick or strike with malicious intent, against an opponent or Official, whether during actual play, during any stoppages, timeouts, after a goal has been scored or during intervals between periods of play.	Scope for penalty of up to 400 points
6. Assault and/or Threat to Assault a Player, Coach or Official		Assault	Intimidating, striking, physical contact, personal threats at or towards a Player, Coach or Official.	Automatic Internal Tribunal***
7. Verbal abuse of a Player, Coach or Official		Verbal Abuse	Verbal abuse includes, but is not limited to, abuse based on religion, colour, national or ethnic origin or sexual orientation.	Automatic Internal Tribunal***
8. Bringing the game into disrepute		Damaging the image of water polo or bringing it into disrepute.	Within the scope of this Policy, this would include but is not limited to behaviour that occurs in and around the field of play, by persons connected to a game, but who are not Players, Coaches, Managers or Officials for that specific game. This may include, but is not limited to Organisation leaders, committee members, delegates or representatives. Such behaviours may include but are not limited to physical violence, intimidation, emotional abuse, sexual harassment and abuse of position, power or age. <i>* It is recognised that some of the behaviours and conduct described here may constitute an offence under law or be automatically referred to the Tribunal.</i>	Automatic Internal Tribunal***

6. GENERAL INFORMATION

- a. All Offences listed in clause 5 are to be reported on the Offence Report Form ([Appendix 1](#)). This includes a *Misconduct – Inappropriate Contact* offence if witnessed by the Officials.
- b. If the Officials do not witness a *Misconduct – Inappropriate Contact* and it is reported via the process outlined in Clause 10, the Officials will then submit relevant details on the Offence Report Form but acknowledge they did not witness the alleged incident.
- c. For a charge of *Misconduct (Foul Play) or Violent Action*, an Internal Tribunal may, after reviewing the evidence, upgrade or downgrade the charge if it is satisfied on the balance of probabilities that there is a more appropriate charge. If the Internal Tribunal proposes to upgrade the charge it must advise the Respondent and give them an opportunity to comment.
- d. The Offence Report Form must be submitted to the Competition Manager (or their nominee) within 1 hour of the game completion, who will confirm it contains all required information.
- e. The Competition Manager (or their nominee) is to prepare a Charge Notice (in respect of the Offence) and issue the Charge Notice to the Member and, the Club delegate or team manager of the Member's club based on the information provided in the Offence Report Form.
- f. Upon receipt of the Charge Notice, the Member must either:
 - i. Accept the penalty listed in the Charge Notice by giving notice to the Competition Manager (or their nominee), within:
 1. 24 hours of receipt of the Charge Notice if related to a Competition; or
 2. 24 hours of receipt of the Charge Notice if related to a Tournament where there are no further games to be played in that Tournament (final day), or
 3. 1 hour of issuance of the Charge Notice if related to Tournaments, where there are more games to be played, or
 - ii. Request the charge in the Charge Notice to be heard by the Internal Tribunal by giving notice to the Competition Manager (or their nominee), within:
 1. 24 hours of receipt of the Charge Notice if related to a Competition; or
 2. 24 hours of receipt of the Charge Notice if related to a Tournament where there are no further games to be played in that Tournament (final day), or
 3. 1 hour of issuance of the Charge Notice if related to Tournaments, where there are more games to be played, or
- g. The Member cannot participate in any capacity in any sanctioned Water Polo Activity, from the giving of the Charge Notice until:
 - i. The Member accepts the penalty listed in the Charge Notice and the Member has served any relevant Suspension; or
 - ii. The charge in the Charge Notice is heard by the Internal Tribunal and a decision handed down and the Member has served any Suspension imposed.
- h. If the Member does not give notice to the Competition Manager (or their nominee), requesting the charge in the Charge Notice to be heard by the Internal Tribunal within the time period in paragraph (f) above, the Member will be deemed to have:
 - i. accepted the penalty and Suspension listed in the Charge Notice; and
 - ii. commenced their Suspension from the giving of the Charge Notice. Noting however if the Offence occurred in the last game of the Season or Tournament the Internal Tribunal may adjust the Suspension Period accordingly;
- i. If the Member does give notice of acceptance to the Competition Manager (or their nominee), within the time period in paragraph (f) above, the Member will be taken to have commenced their Suspension from the giving of the Charge Notice. Noting however if the Offence occurred in the last game of the Season or Tournament the Internal

Tribunal may adjust the Suspension Period accordingly.

- j. If the Member requests the charge in the Charge Notice to be heard by the Internal Tribunal and the member is found guilty, the Penalty may at the discretion of the Internal Tribunal be increased by up to double from the Penalty listed on the Charge Sheet, for that Offence.
- k. The Competition Manager will identify and secure any video footage available of the incident and make this available to the Incident Review Panel and/or the Internal Tribunal if required. Generally, video footage which is not footage sanctioned or directly procured by WPA will not be considered except in exceptional circumstances where WPA in its sole and absolute discretion deems it to be necessary and appropriate.
- l. All procedural aspects of the Internal Tribunal and Internal Appeals Tribunal processes are set out in Appendix 7 and Appendix 8 to this Policy.

7. ADDITIONAL SANCTIONS

- a. The Internal Tribunal may also consider whether (based on severity and recurrence of Offences by the Member) one or more of the Sanctions below should be applied in conjunction with the incurred Penalty, based on the severity and recurrence of Offences by the Member.
- b. Order the Member to give an undertaking to abstain from particular conduct.
- c. Order the Member to give a verbal or written apology to a person for particular conduct.
- d. Requiring that the individual participate in a remedial program or counselling.
- e. Order the Member to undertake such other education as the Internal Tribunal considers appropriate.
- f. Where the Member is already serving a Suspension, continue that Suspension for such period and on such terms or conditions as the Internal Tribunal considers appropriate.
- g. Require the Member to take such steps as the Internal Tribunal considers appropriate to correct the effect of the Member's misconduct.
- h. Order that the Member pay the costs of the investigation and the hearing.
- i. Refer the matter to any relevant statutory investigative or law enforcement authority.
- j. Refer the matter to Sport Integrity Australia or the National Sports Internal Tribunal.
- k. Appoint a mentor to a Member for a period of time.
- l. Impose a fine on a Club/Association (up to \$1,000 per first offence).
- m. Imposing the loss of competition points upon a team/club.
- n. Any other sanction deemed appropriate by the Internal Tribunal.

8. PENALTIES

- a. For every 100 penalty points accumulated by the offender, a one (1) Round (Tournaments) or a seven (7) days (Competition) Suspension will apply during which time the Member is suspended from all Water Polo Activities. This includes where the Offender has a different role to that which they were suspended for.
- b. For the avoidance of doubt in relation to a Tournament, a "bye" does not count towards the serving of the suspension. For a Suspension Period for a Competition the Offender must miss at least 1 game that they would have normally participated for every 7 days they are suspended and therefore the Suspension Period may be adjusted to accommodate this. For example,
 - i. If the Offender is only involved in a single team and that team has a bye during the prescribed Suspension Period, the Suspension Period may be extended to ensure the Offender is sanctioned in line with the finding.
 - ii. If the offence occurred during the last game of the season and the Offender was not due to play again for several months, the commencement date of the

- suspension can be delayed.
- c. Once the suspension is served, and if the total is not an even multiple of 100, then the remaining penalty points will carry over and will be considered if there are any further offences by the Member within a two-year period.
 - d. Carry over points will apply to any other Tournaments or Competitions the Offender participates or wishes to participate in. All penalty points will be included against the Members membership profile and visible to relevant Organisations (in line with the WPA Privacy Policy). It is incumbent on the Competition Manager of the Tournament or Competition to ensure relevant carry over point information is available.
 - e. A database of all Penalty Points accumulated at sanctioned Competitions and Tournaments will be managed centrally by WPA in conjunction with all Organisations.
 - f. Penalty Points will accumulate for two calendar years from 1 September of the relevant year. Penalty Points will expire two years after they were handed down.
 - g. If three (3) reports for Offences by the same Member, across all Competitions or Tournaments are received within a Season, the Member will automatically be referred to the Internal Tribunal to hear the current charge as well as to discuss the repeated charges.
 - h. For this Policy to be applicable across multiple jurisdictions, Competitions, Tournaments, Events and the various layers contained within each of those, the Internal Tribunal in conjunction with the respective Organisations will be required to take a nuanced approach when prescribing Penalties to Members for Offences committed. It can be anticipated that following an Internal Tribunal finding, there may be need for the Internal Tribunal to consult with the relevant Competition Manager(s) to finalise the Penalty to be imposed taking into account the relevant Tournament/Competition/Event, future Tournaments/Competitions/Events, the season nature of the sport, the various roles undertaken by the Member, various Tournaments/Competitions/Events the Member participates in, in any capacity. It is anticipated that Penalties will be applied in one of the following forms:
 - i. Tournament – Member is suspended from all Water Polo Activities until the completion of a specified Round of the current Tournament, with the suspension to commence from the giving of this Charge Notice if the duration of the suspension can be completed before the end of the current Tournament, or
 - ii. Where there are insufficient Rounds left in the relevant Tournament to serve the full suspension the Member will be suspended from all Water Polo Activities for the remainder of the relevant tournament and further, from all Water Polo Activities for a Suspension Period until a specified date and time, within the current Competition season, or
 - iii. Competition – Member is suspended from all Water Polo Activities until a specified date and time, with the suspension to commence from the giving of this Charge Notice, or
 - iv. Where there are insufficient time left in the relevant Tournament and or Competition season to serve the full suspension as described above, the member will be suspended from all Water Polo Activities until the Suspension Period can be served appropriately. This may include the end of the current Tournament or Competition Season and until a specific Round of a designated Tournament.

9. VIOLENT ACTION OFFENCES

- a. The Competition Manager will review the Offence Report Form, the statement and any video evidence (being limited to sanctioned video evidence if they deem appropriate) or other evidence available and make such enquiries as to consider necessary to satisfy themselves the matter should proceed.
- b. Following the review, the Competition Manager (or their nominee) may, in their absolute

discretion:

- i. Dismiss the allegation and advise the parties involved; or
- ii. Direct that the allegation be referred to the Internal Tribunal. The Competition Manager (or their nominee) must issue a Charge Notice (in the form of [Appendix 4](#)). The Respondent cannot participate in any capacity in any Water Polo Activities from the giving of the Charge Notice until the charge in the Charge Notice is heard by the Internal Tribunal and a decision handed down and the Offender has served any suspension imposed.

10. MISCONDUCT – INAPPROPRIATE CONTACT OFFENCES

- a. If the referee witnesses Misconduct – Inappropriate Contact, they should manage this in line with the relevant competition rules as well as report the matter on the Offence Report Form.
- b. If the referee(s) do not witness the alleged incident, the Member who was the recipient of the alleged Inappropriate Contact (Applicant), or an official representative of the Member's Club/Association, must report the incident(s) to the referee at the earliest opportunity. This should either be at the first game interval after the incident occurs (¼, ½, ¾ or full time), or within 30 minutes of the completion of the game. The Applicant (or their representative) must advise the referee that they wish to report an “Inappropriate Contact” incident. The Applicant must identify in the claim, the alleged Offender (the Respondent) by name and/or cap number, the approximate time(s) and location(s) in the pool where the alleged incident occurred. In this case, at the end of the game, the referee/s must add all of the details regarding the Inappropriate Contact allegation to the Offence Report Form - [Appendix 1](#), which is then submitted to the Competition Manager.
- c. The Competition Manager (or their nominee) will review the Offence Report Form and prepare an “Interview Request Notice” – [Appendix 5](#), and issue this to both the Applicant and the Respondent.
- d. The Competition Manager on behalf of the IRP will set up interviews with the Applicant and the Respondent independently via a virtual meeting.
- e. The IRP may request access to any available video footage and both the Applicant and Respondent may provide any additional evidence prior to their respective interview.
- f. One or more members of the IRP (the Interviewer(s)) will be nominated by the IRP to conduct separate interviews with the Applicant and the Respondent. The purpose of the interviews is to verify the details of the alleged incident and the Interviewer to determine details of the allegation.
- g. The interviews should take place:
 - i. within 2 hours of the end of the game for Tournaments; or
 - ii. within 3 days of being issued an “Interview Request Notice” in Competitions, or if the alleged Offence was at the completion of a Tournament and 1 of the parties was in transit and unable to be interviewed within the 2 hour window; or
- h. In relation to matters initiated by the Applicant, and not witnessed by the referee(s), if the Applicant chooses to not attend the interview and refuses to provide a satisfactory written statement in a timely manner to the satisfaction of WPA and the IRP, the complaint may be dismissed by the IRP.
- i. If the Respondent chooses not to attend the interview following issuance of the “Interview Request Notice” and prior to referral to the Tribunal, the Respondent will be deemed to accept the allegation to be accurate and the matter for the purposes of referral to the Tribunal may be determined by the Internal Tribunal on the basis of the information available.
- j. Both the Applicant and the Respondent are encouraged to have a support person (who

may not act as a legal representative) with them for the interview. If the Applicant is under the age of 18, they are required to have a support person with them for the interview

- k. The Interviewer(s) will then present the findings from the interviews to the other two members of the IRP who will then collectively make a recommendation as to the next steps.
- l. Following the review, the IRP may, in their absolute discretion:
 - i. dismiss the allegation and advise the Competitions Manager (or their nominee) who will advise the Applicant and the Respondent without being required to provide reasons; or
 - ii. conduct a mediation between the two parties, facilitated by the Interviewer who conducted the interviews with the parties and their support persons, or
 - iii. direct that the allegation be referred to the Internal Tribunal. The Competition Manager (or their nominee) must issue a Charge Notice ([Appendix 4](#)). The Members cannot participate in any Water Polo Activities, from the giving of the Charge Notice until the charge in the Charge Notice is heard by the Internal Tribunal and a decision is handed down and the Member has served any suspension imposed.
- m. All procedural aspects of the Internal Tribunal and Internal Appeals Tribunal processes are set out in Appendix 7 and Appendix 8 to this Policy.
- n. The IRP may, in their absolute discretion, consider a report of Inappropriate Contact that falls outside the timeframes outlined in clause 10 (b) if:
 - i. the IRP is of the view that the delay in reporting was due to extenuating circumstances such as but not limited to emergency medical treatment being required;
- o. The IRP may also recommend that the Offence meets the threshold for Mandatory Reporting, a summary of which is available [here](#), and take the appropriate action.

11. INCIDENT REVIEW PANEL

- a. The IRP is a panel established to review all *Misconduct – Inappropriate Contact* offences to determine the appropriate course of action, which may be to dismiss or defer, to mediate or to refer to the Internal Tribunal.
- b. Each Offence report of Misconduct – Inappropriate Contact must be referred to an IRP.
- c. The IRP will comprise of at least two (2) and up to three (3) members chosen from the pool of IRP Members, which may include a combination of the following:
 - i. An Internal Tribunal Chair
 - ii. Internal Tribunal Members; and
 - iii. Individuals considered to have advanced officiating, coaching or playing experience and/or qualifications.
- d. The formation of the IRP will take into account the details of the alleged Offence as well as the age and gender of the parties to the alleged Offence.

12. FOR OFFENCES AUTOMATICALLY REFERRED TO THE INTERNAL TRIBUNAL

- a. Offences 7, 8 and 9 listed in Clause 5, by a player or Official must be reported in writing by the referees using the Offence Report Form in [Appendix 1](#).
- b. The charge for these Offences is automatically required to be heard by the Internal Tribunal.
- c. The Member cannot participate in any capacity in any Tournaments, Competitions or

Event until the matter is heard and a decision is handed down by the Internal Tribunal, except with the permission of the Internal Tribunal.

- d. All procedural aspects of the Internal Tribunal and Internal Appeals Tribunal processes are set out in Appendix 7 and Appendix 8 to this Policy.
- e. The Organisation will identify and secure any video footage available of the incident and make this available to the Internal Tribunal if required, which may include but need not include non-sanctioned video footage made available by third parties.

APPENDIX 1: OFFENCE REPORT FORM

Note: Use a separate sheet for each offence/player/official

Reported Person: _____ Team: _____ Cap Number: _____

Role of reported person: Player / Coach / Official / Spectator Date: _____

Please circle one

Competition: _____ Division: _____ Game Time: _____

Venue: _____ Gender: Male / Female Date: ____/____/____

Please circle one

Teams involved in match: _____ v _____

Referee Names: 1) _____ 2) _____

Charge **Misconduct - Grade 1**

Tick 1

Misconduct - Grade 2

Violent Action

Incident Review Panel

Misconduct - Inappropriate Contact

Incident Review Panel

Red Card

Non-Players Only

Other Offence

Please provide below details of incident/s including but not limited to:

- Quarter and time
- Any issues leading up to the incident
- Exact details of the incident
- How red card was issued
- Any cautions/yellow cards issues
- Other persons involved

Referee 1: Use reverse side if necessary

Referee 2: Did you witness the incident? Yes / No

Use reverse side if necessary

Please circle

Do you support the above statement? Yes / No

If no, please explain below:

Yes / No

Please circle

Name of Delegate, Pool Co-ordinator or Mentor/Assessor if present: _____

Did this person witness the incident?

Yes / No / Unsure

Please circle

Referee 1 Signature: _____ Referee 2 Signature: _____ Time: _____

Please provide a copy of this form to the Competition Manager promptly once complete.

APPENDIX 2: CHARGE NOTICE TEMPLATE

To: insert name of Member that is charged with an Offence

I am cc'ing this email to Name of Club Delegate as Name of Club Club Delegate to ensure you receive this information as soon as possible.

I refer to the referee report and game card (attached to email). As you will see, you have been charged with the Offence listed below.

Offence: Offence Description

Penalty points (no Internal Tribunal hearing): Number of Points

Penalty points (if found guilty at Internal Tribunal hearing): Number of Points at the Discretion of the Internal Tribunal

Carry over points from previous Offences: Number of Points

You cannot participate in any capacity in either a sanctioned Competition, Tournament or Event from the giving of this Charge Notice until:

1. You accept the penalty listed in this Charge Notice and have served any relevant suspension; or
2. You do not give notice to the Competition Manager (requesting the charge in this Charge Notice to be heard by the Internal Tribunal) within:
 - a. 24 hours of receipt of this Charge Notice for Competitions; or
 - b. 24 hours of receipt of the Charge Notice if related to a Tournament where there are no further games to be played in that Tournament (final day), or
 - c. 1 hour of receipt of this Charge Notice for all Tournaments.

In this case, you will be taken to have accepted the penalty points (no Internal Tribunal hearing) listed in this Charge notice and accept that this cannot be appealed once the decision has been notified. If you do wish to accept the penalty points (no Internal Tribunal hearing) listed in this Charge Notice, please notify me as soon as possible.

Based on the penalty points (no Internal Tribunal hearing) listed in this Charge Notice and your carry over points from previous Offences, you will be suspended for (please tick the most appropriate option of the four listed):

- Tournament – You will be suspended from all Water Polo Activities until the completion of Round X of Tournament Name, Year with the suspension to commence from the giving of this Charge Notice, or
- Competition - You will be suspended from all Water Polo Activities until insert date and time with the suspension to commence from the giving of this Charge Notice, or
- Where there are insufficient Rounds left in the Tournament to serve the full suspension you will be suspended from all Water Polo Activities for the remainder of this Tournament Name, Year and from all Water Polo Activities until this date and time, or
- Where there are insufficient Rounds left in the Competition or Tournament to serve the full suspension you will be suspended from all Water Polo Activities until this date and time

Hearing by Internal Tribunal

If you require the charge in this Charge Notice to be heard by the Internal Tribunal, you must give notice in writing (email is acceptable) to the Competition Manager (details below) within the time period set out in point 2 above. For more information, please refer to Appendix 7 – Internal Tribunal Procedure.

Please note, if you require the charge in this Charge Notice to be heard by the Internal Tribunal, (in addition to any other sanction the Internal Tribunal may impose), the allocated penalty points for the offence, as outlined in clause 4, may increase if found guilty.

Regards,

Name
Competition Manager (or their nominee)

Email:

APPENDIX 3: CHARGE NOTICE TEMPLATE (AUTOMATIC INTERNAL TRIBUNAL)

To: insert name of Member that is charged with an Offence

I am cc'ing this email to Name of Club Delegate as the Name of Club Delegate to ensure you receive this information as soon as possible.

I refer to the referee incident report and game card (attached). As you will see, you have been charged with the Offence listed below.

Offence: insert charge

Automatic referral to the Internal Tribunal

Penalty points – insert number of penalty points

Carry over points from previous Offences: insert number of carry over points if any

You cannot participate in any capacity in either a sanctioned Competition, Tournament or Event from the giving of this Charge Notice until:

1. the charge in the Charge Notice is heard by the Internal Tribunal and a decision handed down (see below);
and
2. you have served any required suspension.

Hearing by Disciplinary Internal Tribunal

Due to the level of the Offence, this charge will require you to attend an automatic Disciplinary Internal Tribunal hearing.

You and your Club will receive a separate Notice of Internal Tribunal from the Organisation which will outline the timing and process for the Internal Tribunal.

If you plead not guilty at the Internal Tribunal and you are found guilty, then the penalty points for the Offence may be increased.

For more information, please refer to Appendix 7 – Internal Tribunal Procedure.

Regards,

Name

Competition Manager (or their nominee)

Email

APPENDIX 4: CHARGE NOTICE TEMPLATE (REFERRAL TO TRIBUNAL BY INCIDENT REVIEW PANEL)

To: insert name of Member that is charged with an Offence

I am cc'ing this email to Name of Club Delegate as the Name of Club Delegate to ensure you receive this information as soon as possible.

I refer to the referee incident report and game card (attached). As you will see, you have been charged with the Offence listed below.

Offence: insert charge

Referral to the Internal Tribunal by the Incident Review Panel

Penalty points – insert number of penalty points

Carry over points from previous Offences: insert number of carry over points if any

You cannot participate in any capacity in Water Polo Activities from the giving of this Charge Notice until:

1. the charge in the Charge Notice is heard by the Internal Tribunal and a decision handed down (see below);
and
2. you have served any required suspension.

Hearing by Disciplinary Internal Tribunal

At the discretion of the Incident Review Panel, this charge will require you to attend a Disciplinary Internal Tribunal hearing.

You and your Club will receive a separate Notice of Internal Tribunal from the Organisation which will outline the timing and process for this Internal Tribunal.

If you plead not guilty at the Internal Tribunal and you are found guilty, then the penalty points for the Offence may increase.

For more information, please refer to Appendix 7 – Internal Tribunal Procedure.

Regards,

Name

Competition Manager (or their nominee)

Email

APPENDIX 5: INTERVIEW REQUEST NOTICE

Dear [insert name],

I am copying this email to [insert name of Club representative] as the [insert Club name] Delegate to ensure you receive this information as soon as possible.

I refer to the referee offence report and game card (attached). You have been named as a party to the offence listed.

INCIDENT: Misconduct – Inappropriate Contact

Carry over points from previous Offences (if applicable): [insert number of carry over points if any]

You cannot participate in any capacity in Water Polo Activities from the giving of this Interview Request Notice until:

- a) An investigation is undertaken by the Incident Review Panel, where a Charge Notice may be issued; or
- b) the matter is dismissed; or
- c) The matter is heard by the Disciplinary Internal Tribunal and a decision is handed down (see below).

Interview Request Notice

As a party to the Incident, you will be contacted to undertake an online interview with members or a member of the Incident Review Panel. Further information regarding this process can be found in the Water Polo National Sanctioning Policy.

If the matter is dismissed by Incident Review Panel, you will be advised.

Hearing by Internal Tribunal

If the matter is referred to the Disciplinary Internal Tribunal by the Incident Review Panel, the matter will require you to attend an Internal Tribunal hearing.

You and your Club will receive a separate Notice of Internal Tribunal from the Organisation which will outline the timing and process for this Internal Tribunal once the matter has been assessed by the Competition Manager (or their nominee).

For more information, please refer to Appendix 7 – Internal Tribunal Procedure.

If you have any questions in relation to this Notice, please contact the Competitions Manager via email

Regards,

Name

Competition Manager (or their nominee).

Email

APPENDIX 6: EXAMPLES OF OFFENCE CRITERIA

MISCONDUCT

Grade 1 - (may include but is not limited to):

- Unacceptable language – including being directed at general play, inclusive of use of foreign language
- Equipment abuse - intentional damage to pool/team/club equipment
- Disobedience of referee instruction
- Disrespect to a referee – including lack of respect or courtesy to an individual/team
- Dissent – gesturing/splashing at an individual, including a referee or Official
- A grade 1 Offence is disrespect or disobedience. The referee determines if it is sufficient to disqualify the Member for the rest of the game and accrue the points listed in the table above.

Grade 2 (may include but is not limited to):

- Unacceptable language – directed at an individual, inclusive of use of foreign language.
- Continuous disrespect – of an individual/team
- Behaviour against the spirit of the rules and likely to bring the game into disrepute.
- Persistent foul or rough play
- A grade 2 Offence is more serious behaviour than a grade 1 Offence including the behaviour that the referee determines deserves a greater penalty than just disqualifying the Member for the rest of the match, including accruing the higher points (than for a grade 1 Offence) listed in the table in clause 4.

MISCONDUCT – Inappropriate Contact- (may include but is not limited to):

- Perceived non-accidental contact with the genital or breast area of a player which results in physical and or emotional discomfort to the impacted player
- Reckless or careless contact with the genital or breast area of a player which results in physical and or emotional discomfort to the impacted player
- Other physical contact not associated with the normal course of a game of Water Polo and not witnessed by the Referee(s).

VIOLENT ACTION

- To do or attempt to do any act of violence to another player with malicious intent. Examples include but are not limited to elbowing, punching, kicking, head butting, eye gouging, sustained sinking, or any other form of malicious physical abuse of that player.

COACHES and OFFICIALS

Red Card Only – automatic 150 points.

One or more of the following behaviours towards an official:

- Unacceptable language and/or abuse
- Equipment abuse
- Disobedience
- Disrespect
- Continuous disrespect
- Abuse and/or assault of a Referee or Official
- Bringing the game into disrepute.

APPENDIX 7: INTERNAL TRIBUNAL PROCEDURE

Interpretation

1. In this document:

Chair means the chair of a particular Internal Tribunal in accordance with this document.

Legal Practitioner is a person holding a current practising certificate as a lawyer or barrister in any Australian jurisdiction.

Sports Administrator means a person who currently, or within the previous five years, is or has been employed in the field of sports administration.

Tribunal Member means an individual person sitting on an Internal Tribunal.

2. Defined terms not otherwise defined in document will have their ordinary meaning.

3. All clause references refer to this document unless otherwise provided.

Convening Internal Tribunal

4. Where required under the Policy, the Sport Organisation will convene an Internal Tribunal in accordance with this document

5. The Internal Tribunal shall be convened as soon as reasonably practicable after a referral under this Policy and shall endeavour to convene no later than two weeks after notification by the Sport Organisation.

Composition of Internal Tribunal

6. Subject to clause 8, each Internal Tribunal shall:

- (a) Comprise at least one Tribunal Member selected by the Sport Organisation;
- (b) Include at least one Legal Practitioner;
- (c) Be chaired by the Chair, who shall be appointed by the Sport Organisation and shall be:
 - (i) A Legal Practitioner; and
 - (ii) A person of experience and skills suitable to the function of chairing a tribunal.

7. The Sport Organisation shall use reasonable endeavours to ensure that the Tribunal Members selected for any particular Internal Tribunal:

- (a) Do not have an actual or perceived conflict of interest in relation to the Dispute that might reasonably call into question the impartiality of the Internal Tribunal; and
- (b) Do not have any close personal connection to the Respondent(s) or the matters being considered by the Internal Tribunal.

8. Should a Tribunal Member become unable to sit on an Internal Tribunal following the convening of the Internal Tribunal for whatever reason, the Sport Organisation shall appoint a replacement Tribunal Member.

9. Should a Respondent challenge the impartiality of any one or more Tribunal Member, the challenge will be determined by the Chair sitting alone, unless that challenge relates to the Chair in which case it will be determined by:

- (a) The Sport Organisation CEO or President; or
- (b) If the Sport Organisation CEO or President is unavailable or unable to act, the other members of the Internal Tribunal.

10. There shall be no right of appeal from a decision made under clause 9.

11. No Internal Tribunal decision shall be invalidated by any irregularity in the appointment of a Tribunal Member.

Responsibilities of Chair

12. Without limiting any other duties of the Chair set out under this Document, the person appointed as Chair of the Internal Tribunal shall have the following responsibilities:

- (a) To chair hearings of the Internal Tribunal;

- (b) To ensure accurate records are kept of all of the Internal Tribunal's proceedings and decisions, including at a minimum:
 - (i) Particulars of the hearing, including date, time and location;
 - (ii) The names of each Tribunal Member, party to the Dispute, witnesses called, and any other parties permitted to attend by the Internal Tribunal;
 - (iii) The decision of the Internal Tribunal, whether given to the parties orally, in writing or a combination of both, and the date(s) of communication; and
- (c) To communicate to all parties of an Internal Tribunal the results of such Internal Tribunal and provide a copy of the record of result to the Sport Organisation within seven days of the hearing.

Attendance at Internal Tribunal

- 13. Each party to a Dispute shall be required to attend the Internal Tribunal hearing conducted under this Document.
- 14. The following persons shall be entitled to attend an Internal Tribunal hearing as required by the parties to the Dispute:
 - (a) Witnesses called to give evidence by a party to the Dispute;
 - (b) Any person that the Chair in their absolute discretion believes will assist the Internal Tribunal and invites to attend the Internal Tribunal for that purpose; and
 - (c) Where a party to the Dispute or a witness is under the age of 18 years, an adult adviser, who will in the absence of unavailability or other extraordinary circumstance be expected to be such person's parent or guardian.
- 15. Legal Practitioners are not permitted to appear before, or represent a party at, the Internal Tribunal unless in their personal capacity as a party to the Dispute. This clause does not prohibit a party seeking legal advice in relation to a Dispute or engaging a Legal Practitioner to prepare materials to be used by that party at the Internal Tribunal.
- 16. Each party to the Internal Tribunal shall bear their own costs.

Non-attendance by a Party

- 17. If a party to the Dispute (or representative of a party) fails to attend the Internal Tribunal hearing without reasonable cause, the hearing may proceed and a determination may be made by the Internal Tribunal in the absence of the party, provided that the Internal Tribunal is satisfied that this Document has been complied with.
- 18. A party to the Dispute may apply to the Chair to have an Internal Tribunal hearing:
 - (a) Adjourned; or
 - (b) Convened in another way (e.g., videoconference or teleconference), if there are compelling circumstances that warrant such steps being taken to avoid costs, hardship or significant inconvenience to one or more parties. The Internal Tribunal has sole discretion on whether or not to grant the application.
- 19. If a party to the Dispute fails to attend an Internal Tribunal hearing without reasonable cause, the hearing may proceed and a determination may be made by the Internal Tribunal in the absence of that person, provided that the Internal Tribunal is satisfied that all notification procedures under this Document have been carried out.

Procedure of Internal Tribunal

- 20. The Internal Tribunal shall conduct the hearing in such manner as it sees fit and may in its absolute discretion:
 - (a) Consider any evidence, and in any form that it deems relevant;
 - (b) Question any person giving evidence;
 - (c) Limit the number of witnesses presented to those who provide any new evidence; and
 - (d) Act in an inquisitorial manner in order to establish the truth of the issue/case before it.

21. Without limiting the Internal Tribunal's power to regulate its own procedure as it sees fit, the Internal Tribunal shall ordinarily proceed in accordance with the following steps:
 - (a) If a body corporate or a Sport Organisation is a party to an Internal Tribunal hearing, one member of that body corporate or Sport Organisation shall be appointed by the body corporate or Sport Organisation to act as spokesperson for such body at the Internal Tribunal.
 - (b) At the commencement of a hearing, the Chair will identify the Tribunal Members and determine whether each party is present.
 - (c) Each party will be notified of their right to remain in the hearing until all evidence is presented but not to be present while the Internal Tribunal considers its findings.
 - (d) The Chair shall advise all those persons present of the method of recording the hearing (if any).
 - (e) Each party shall proceed to give evidence and the witnesses (if any) shall be called upon to give their evidence in turn, subject to the approval of the number of witnesses to be called by the Internal Tribunal in its discretion. Each party (or, if they are a minor his/her adviser) may ask questions of the other party or any witness called.
 - (f) Each witness shall be entitled to leave the Internal Tribunal hearing after giving evidence unless otherwise directed by the Internal Tribunal. Witnesses shall be entitled to remain in the hearing room after giving evidence with the permission of the Internal Tribunal.
 - (g) Where a person under the age of 18 exercises his/her right to have an adult observer or adviser present in accordance with this Document, a reasonable opportunity for consultation between the minor and the adviser shall be provided by the Internal Tribunal.
 - (h) The Internal Tribunal may, so as to limit inconvenience to witnesses, allow evidence to be given by telephone or videoconference.
22. At the conclusion of all of the evidence and submissions the Chair shall ask the parties and all other persons present to leave the hearing room while the Internal Tribunal considers its findings.
23. The decision of the Internal Tribunal shall be given by the Chair in the presence of the parties to the Dispute, unless a party chooses not to remain. If:
 - (a) One of the parties is not present, the Chair may give the decision orally, and must communicate the decision to the non-attending party in writing as soon as practicable; or
 - (b) None of the parties are present, the Chair must communicate the decision to each of the parties and the relevant Sport Organisation in writing as soon as practicable.
24. The Internal Tribunal may reserve its decision but if it does so, it will provide its decision within 14 days of the hearing.
25. The Internal Tribunal is not obliged to give oral or written reasons for any decision made by it under this Document but may do so if it wishes.

APPENDIX 8: INTERNAL APPEALS TRIBUNAL PROCEDURE

The following is the Schedule taken from the WPA Conduct and Disciplinary Policy, as relevant to this Policy.

Interpretation

1. In this Document:

Appeals Chair means the chair of a particular Internal Appeals Tribunal in accordance with this document.

Tribunal Member means an individual person sitting on an Internal Appeals Tribunal.

2. Defined terms not otherwise defined in this Document have their ordinary meaning.

3. All clause references refer to this Document unless otherwise provided.

Convening Internal Appeals Tribunal

4. The Internal Appeals Tribunal shall be convened as soon as reasonably practicable after a referral and shall endeavour to convene no later than two weeks after notification by the Sport Organisation.

Composition of Internal Appeals Tribunal

5. Each Internal Appeals Tribunal shall:

(a) Comprise at least two Tribunal Members selected by the Sport Organisation;

(b) Comprise at least one Legal Practitioner and one Sports Administrator; and

(c) Be chaired by the Appeals Chair who shall be appointed by the Sport Organisation and shall be:

(i) A Legal Practitioner; and

(ii) A person of experience and skills suitable to the function of chairing an Internal Appeals Tribunal, none of whom sat on or was involved in the original Hearings Tribunal for the Dispute subject of the appeal.

Procedure of Internal Appeals Tribunal

6. Subject to this Document, the Internal Appeals Tribunal and persons appearing before it are bound by the same procedures under this Policy as if the Internal Appeals Tribunal was the Internal Tribunal hearing a matter at first instance.

7. The Sport Organisation shall forward records of the Internal Tribunal hearing in which the matter the subject of the appeal was heard at first instance to the Appeal Chair.

8. The Internal Appeals Tribunal must limit its hearing to consideration of the Ground(s) of Appeal relied upon by the Appellant under the Appendix 9.

9. An Internal Appeals Tribunal has the power to:

(a) Dismiss the appeal;

(b) Uphold the appeal;

(c) Vary any determination imposed by the Internal Tribunal under the Policy, in accordance with clause 10 but otherwise in such manner as it thinks fit.

10. At the conclusion of the appeal, the Appeal Chair shall ensure that the parties are informed of the determinations of the Internal Appeals Tribunal. The Appeal Chair shall also notify the Sport Organisation of the decision of the Internal Appeals Tribunal.

11. The Internal Appeals Tribunal is not obliged to give oral or written reasons for its decision.

12. The Internal Appeals Tribunal has discretion to order the refund of the appeal fee and shall do so where the appeal is upheld.

APPENDIX 9: APPEALS FROM INTERNAL TRIBUNAL AND NATIONAL SPORTS TRIBUNAL

The following is the Schedule taken from the WPA Conduct and Disciplinary Policy, as relevant to this Policy.

1 Parties entitled to appeal

Each party to a Dispute is entitled to appeal the decision of the Internal Tribunal or the Internal Appeals Tribunal under this Policy (each an **Appellant**) solely on the following Grounds of Appeal:

- (a) No reasonable decision maker in the position of the Hearing Tribunal, based on the material before them, could reasonably make such a decision.

2 Notice of appeal

- (a) To submit a valid notice of appeal, an Appellant must, within 14 days of the date of receipt of the decision made by the Tribunal:

- (i) If the Tribunal was the Internal Tribunal:

- 1. An Appellant who wishes to appeal to the Internal Appeals Tribunal against, or in respect of, a decision of the Internal Tribunal must first obtain leave to do so from the Chair via the following process;

- a. Lodge with WPA the Notice of Appeal stating they wish to appeal, which states in full their Grounds of Appeal, including any relevant documents as annexures;
 - b. Pay the appeal fee of AUD\$1,000 to WPA; and
 - c. Serve, by email, by post, or physically, on the other parties to the appeal a copy of the Notice of Appeal; or

- (ii) If the Tribunal is the Internal Appeals Tribunal and is either an National Sports Tribunal Matter (NST) Eligible Matter, or not an NST Excluded Matter:

- 1. Lodge an 'Application for an Appeal' form with the NST, which must state in full their Grounds of Appeal;
 - 2. Pay the requisite application fee as set by the NST; and
 - 3. Serve, by email, by post, or physically, on the other parties to the appeal and WPA a copy of the 'Application for an Appeal', (together, a **Notice of Appeal**).

3 Appeals in the NST Appeals Division

- (a) An Appellant who has appealed to the NST and has received a final decision from the NST may appeal that decision to the NST Appeals Division.

- (b) If an Appellant lodges a valid Notice of Appeal in the NST Appeals Division, the NST will determine the matter.
- (c) The procedure for an appeal in the NST Appeals Divisions will be in accordance with the NST Legislation.

4 Determination by Internal Appeals Tribunal

The Internal Appeal Tribunal's arbitration of the appeal must determine, on the balance of probabilities, whether one or both Grounds of Appeal (as applicable) are proven and must not rehear the matter or the facts of the Dispute.

5 Notification of outcome

The relevant Appeal Tribunal (either the Internal Tribunal or the Internal Appeals Tribunal) will notify the parties to the proceeding of the decision in accordance with its relevant procedures. Any NST Decisions will be notified in accordance with usual NST procedures and rules.

6 Confidentiality

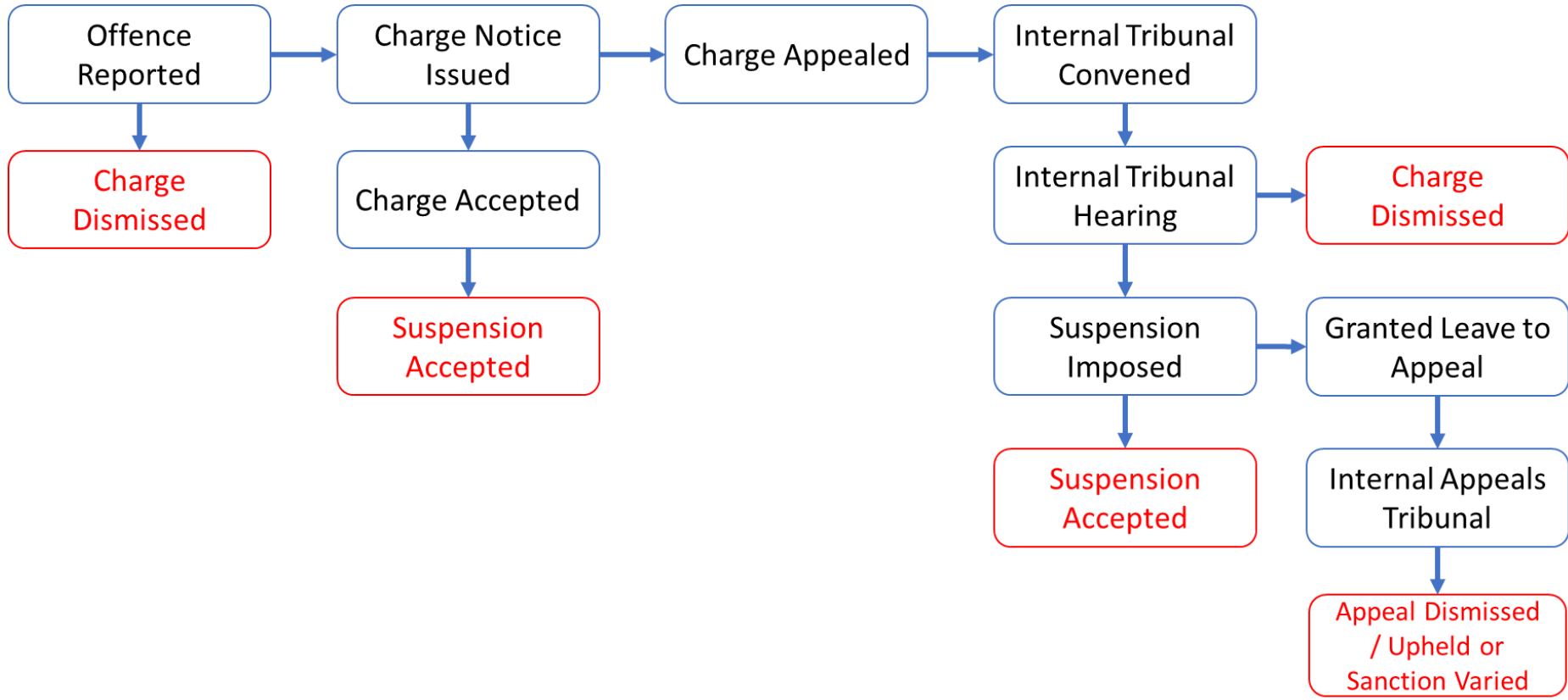
- (a) All Disputes (and all information disclosed in relation to them), including the outcomes of any facilitated resolution process or hearing process will be kept confidential by WPA, and will not be disclosed to any third parties, except as provided in this clause.
- (b) WPA and other Sport Organisations may make the following disclosures:
 - (i) To the parties to the Dispute in relation to the facilitated resolution process or hearing/appeal process to ensure a fair process;
 - (ii) To any person to facilitate the resolution of the Dispute under this Policy;
 - (iii) To external agencies so they can deal with relevant conduct (e.g., Sport Integrity Australia, law enforcement or regulatory authorities, a child protection agency, State/Territory fair trading authority, the Australian Securities & Investments Commission);
 - (iv) To Members or other Sport Organisations to inform them of the resolution of the Dispute;
 - (v) To any third party for the primary purpose of:
 - (A) Preventing or lessening a risk to the safety, health or wellbeing of a person; or
 - (B) Protecting children participating in a sport; or
 - (C) Protecting the safety of participants in a sport; and
 - (vi) As required by law, any court or the NST.
- (a) The processes outlined in this Policy can replace any other disciplinary process, investigation, alternative dispute resolution process or tribunal process set out in any

policy, by-law or rule of WPA or any other Sport Organisation, at the absolute discretion of the relevant Sport Organisation CEO, unless specifically excluded by this Policy.

- (b) WPA may require any dispute at any level of the sport to be managed or processed in accordance with this Policy at any time, and specifically may refer such dispute to be arbitrated, mediated, conciliated or appraised by the NST in accordance with the NST Legislation, irrespective of whether any deadline or time limit has expired, and irrespective of the stage of process the matter has reached.

APPENDIX 10: PROCESS DIAGRAM

Process for the management of all offences except Inappropriate Contact



APPENDIX 11: PROCESS DIAGRAM – INAPPROPRIATE CONTACT

Process for the management of all Inappropriate Contact allegations

