
TRIBUNAL PROCEDURES

Tribunal Responsibilities:

Chairman

- Chair the tribunal as per By-Law 15.8.1
- Enter record of the proceedings in the tribunal book with relevant details, showing names of attendees, charges, outcome and penalties if any as per By-Law 15.8.3.
- The chairman in consultation with the tribunal panel will decide on the penalty, if any as per By-Law 15.6.
- Announce penalty if defendant is found guilty as per By-Law 15.8.2.

Panel

- To hear all the evidence and evaluate if the defendant is guilty or innocent of the charges as per By-Law 15.6.
- The panel in consultation with the chairman will decide on the penalty, if any as per By-Law 15.6.

Tribunal Attendance:

Complainant

- This is the person that made the complaint.

Defendant

- This is the person or persons named in the complaint, alleging committing the offence.
Note: The defendant may have an advocate represent them if notice has been received as per By-Law 1.6.1.

Witnesses

- Both parties may call witnesses.

Tribunal Process:

1. Chairman to welcome all in attendance and announce and record the start time of the proceedings.
2. Chairman to conduct roll call of all in attendance, noting the following and recording their names.
 - Tribunal Panel
 - Complainant
 - Complainant Witnesses
 - Defendant
 - Advocate of Defendant
 - Delegates of Defendant
 - Defendant Witnesses
3. Chairman to remind all those giving evidence that anyone, who in the opinion of the tribunal, gives misleading or untruthful evidence could also be subject to penalties.
4. Chairman to read charges.

5. Chairman to ask defendant for a plea to the charges.

If the defendant pleads guilty,

Chairman to ask the Defendant if they wish to address the Tribunal, and if so then allow them or their advocate on their behalf, to address the Tribunal, and then allow the complainant to address the Tribunal.

The tribunal panel, along with the tribunal chairman will adjourn to determine the punishment or penalty, as per By-Law 15.6.

If the Defendant pleads not guilty then proceed with the Tribunal process.

6. Chairman to ask any person wishing to give evidence other than the complainant and defendant to now leave the room and remain in an area where they can be called if required until excused.

Once a witness has given evidence and will not be recalled, they may remain to hear the remainder of the hearing.

7. Chairman to ask complainant to present their evidence.

This will be by the complainant reading the letter of complaint, and the calling witnesses to substantiate the record of events.

The chairman will delegate a member of the tribunal panel to collect witnesses.

The complainant is allowed to question the witness on their testimony.

The defendant or their advocate, not both, is allowed to cross-examine the testimony of any witness as per By-Law 1.6.2.

The complainant will advise the chairman when their presentation of evidence has concluded.

8. Chairman to ask defendant to present their defence.

This will be by the defendant reading from a prepared letter and or calling witnesses to substantiate their defence.

The chairman will delegate a member of the tribunal panel to collect witnesses.

The defendant is allowed to question the witness on their testimony.

The defendant will advise the chairman when their defence has concluded.

9. Verdict

The chairman along with all the attendees, except for the tribunal panel, shall now leave the room, so the tribunal panel can decide on the guilt or innocence of the defendant, as per B-Law 15.7.

If the Tribunal is satisfied that a charge has been established on the balance of probabilities (i.e., more probable than not) it shall find the charge proved. Otherwise, the charge shall be dismissed. If a charge has been found proven by the tribunal, any previous tribunal appearances and findings shall be presented to the panel.

10. Penalty

Once the tribunal panel has reached a verdict, they along with the chairman will decide on the penalty, if any as per By-Law 15.8.

The tribunal book shall be available when considering a penalty, to view previous convictions and penalties.

The defendant, complainant and any witnesses may be present when the decision of the tribunal is given by the tribunal chairman. If the defendant is not present the chairman shall ensure that the decision is conveyed to the defendant by the most expedient means.

The Tribunal is not obliged to give reasons for any decision made by it under these By-Laws.

A member convicted of an offence, who receives a penalty or direction, shall not be permitted to enter a DDPL competition, or attend any DDPL event, until such penalty or direction is completed to the satisfaction of the Tribunal.

11. Close

The chairman shall thank all those for their attendance and call the tribunal closed, and enter the closed time in the tribunal book.