

TRIBUNAL PENALTY GUIDELINES

Offence	Criteria	Maximum	Low	Moderate	Severe
Disputing the decision of a referee	<i>In a consistent and/or abusive manner</i>	6 WEEKS	1 – 2 weeks	3 – 4 weeks	5 – 6 weeks
Obscene gestures	<i>Moving or displaying the hands, arms or body in an offensive or vulgar manner</i>	10 WEEKS (non-official)	1 – 3 weeks	4 – 6 weeks	7 – 10 weeks
		20 WEEKS (official)	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks
Offensive language	<i>Swearing, insults or using language of a racist, sexist or homophobic nature</i>	10 WEEKS (non-official)	1 – 3 weeks	4 – 6 weeks	7 – 10 weeks
		20 WEEKS (official)	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks
Unsportsmanlike behaviour	<i>Other behaviour considered unsportsmanlike NOT covered in the other categories i.e., pushing and shoving</i>	6 WEEKS	1 – 2 weeks	3 – 4 weeks	5 – 6 weeks
Breach of code of conduct	<i>Other behaviour that may breach the Code of Conduct NOT covered in the other categories</i>	6 WEEKS	1 – 2 weeks	3 – 4 weeks	5 – 6 weeks
Attempting to trip	<i>Attempting to use one's foot or other body part to obstruct clear passage</i>	10 WEEKS (non-official)	1 – 3 weeks	4 – 6 weeks	7 – 10 weeks
		20 WEEKS (official)	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks
Tripping	<i>Using one's foot or other body part to obstruct clear passage</i>	10 WEEKS (non-official)	1 – 3 weeks	4 – 6 weeks	7 – 10 weeks
		52 WEEKS (official)	1 – 17 weeks	18 – 34 weeks	35 – 52 weeks
Attempting to strike	<i>Attempting to use hands/arms or head to make forcible contact with any part of the person's body</i>	10 WEEKS (non-official)	1 – 3 weeks	4 – 6 weeks	7 – 10 weeks
		52 WEEKS (official)	1 – 17 weeks	18 – 34 weeks	35 – 52 weeks
Striking	<i>Using hands/arms or head to forcibly make contact with any part of the person's body outside game play or within game play in a manner not contemplated by the rules</i>	52 WEEKS (non-official)	1 – 17 weeks	18 – 34 weeks	35 – 52 weeks
		LIFE (official)	1 week – 6 years	7 – 12 years	13 years +
Attempting to elbow	<i>Attempting to use one's elbow to make contact with any part of the person's body</i>	10 WEEKS (non-official)	1 – 3 weeks	4 – 6 weeks	7 – 10 weeks
		52 WEEKS (official)	1 – 17 weeks	18 – 34 weeks	35 – 52 weeks
Elbowing	<i>Using one's elbow to make contact with any part of the person's body</i>	52 WEEKS (non-official)	1 – 17 weeks	18 – 34 weeks	35 – 52 weeks
		LIFE (official)	1 week – 6 years	7 – 12 years	13 years +

Attempting to kick	<i>Attempting to use one's foot or leg to make contact with any part of the person's body</i>	10 WEEKS (non-official) 52 WEEKS (official)	1 – 3 weeks 1 – 17 weeks	4 – 6 weeks 18 – 34 weeks	7 – 10 weeks 35 – 52 weeks
Kicking	<i>Using one's foot or leg to make contact with any part of the person's body</i>	52 WEEKS (non-official) LIFE (official)	1 – 17 weeks 1 week – 6 years	18 – 34 weeks 7 – 12 years	35 – 52 weeks 13 years +
Fighting	<i>Two or more people engaging in striking or attempted striking</i>	20 WEEKS	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks
Moving under an airborne player	<i>Moving into the space the person is reasonably expected to land</i>	104 WEEKS	1 – 34 weeks	35 – 68 weeks	69 – 104 weeks
Spitting	<i>Ejecting saliva forcibly from one's mouth at or towards another person</i>	52 WEEKS (non-official) LIFE (official)	1 – 17 weeks 1 week – 6 years	18 – 34 weeks 7 – 12 years	35 – 52 weeks 13 years +
Putting a person in fear of impending violence	<i>Through words, gestures or actions *This offence involves both a subjective element – how did the complainant feel And objective – looking at the behaviour of the accused and the attributes of the complainant and the charged person, to ascertain the reasonableness of fear</i>	52 WEEKS (non-official) LIFE (official)	1 – 17 weeks 1 week – 6 years	18 – 34 weeks 7 – 12 years	35 – 52 weeks 13 years +
Incidents involving blood and bodily fluids	<i>Using blood or other bodily fluids in an unsafe or reckless manner</i>	LIFE	1 week – 6 years	7 – 12 years	13 years +
Conduct bringing game into disrepute	<i>Incidents which attract adverse publicity for the Association and/or basketball as a sport, for example in the media or social media platforms</i>	20 WEEKS	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks
Participating whilst suspended	<i>Playing, coaching or officiating at any Affiliated Association whilst serving a suspension</i>	2 WEEKS (non-official) 5 WEEKS (official)	1 week 1 week	1 – 2 weeks 2 – 3 weeks	2 weeks 4 – 5 weeks
Failure to attend tribunal	<i>Without reasonable cause</i>	20 weeks	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks
Failure to cooperate or hindering an investigation	<i>Unjustified delay or absence of response to requests for information</i>	20 WEEKS	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks

Intimidating or bullying a person	<i>Repeatedly using threatening language, gestures or actions that creates distress or an unsafe space</i>	20 WEEKS	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks
Public criticism of officials	<i>Criticism directed to a wider audience post-competition, such as online or another public platform</i>	20 WEEKS	1 – 6 weeks	7 – 12 weeks	13 – 20 weeks

Determining Factors

To use this table, circle either *LOW/MODERATE/SEVERE* for each factor, and use the results to assess the severity of the offence.

RELEVANT FACTORS	LOW	MODERATE	SEVERE
INTENT	Unintentional	Reckless	Intentional
OUTCOME	No harm or injury	Minor or temporary harm or injury	Moderate or serious and/or longstanding harm or injury
VICTIM/COMPLAINANT	No power imbalance i.e., two adults of similar attributes	Some power imbalance existed in age, gender, etc	Under 18, elderly or otherwise vulnerable
ENVIRONMENT	Limited or no spectators	Witnessed by a large number of spectators and/or adolescents	Witnessed by children
REMORSE	Genuine apology & remorse	Some remorse and/or partial apology	No remorse or apology
PRIOR CONDUCT	No prior misconduct of any sort	No prior behaviour of similar nature	Prior behaviour of similar nature

This table is a guide only and Tribunal members always have discretion to evaluate the conduct as they see fit.