



FOOTBALL
NSW

GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 16-83
Date of hearing	29 November 2016
Time of hearing	N/A
Venue of hearing	N/A
Tribunal Member(s)	Mendo CKLAMOVSKI
Respondent	Cristian BERRIOS (FFA: 61143194)
Fixture	Futsal State League (FSL) under 16s match between Phoenix FC and Hakoah Sydney City East at Ryde Community and Sports Centre on 22 October 2016.

This Notice constitutes the General Purposes Tribunal's Determination resulting from the Tribunal hearing listed above.

Charge(s) and Determination(s):

Charge(s)	Tribunal determination
<p>1. The Respondent (Cristian Berrios) failed to follow any reasonable direction of an Official or Football NSW employee or representative in relation to conduct and/or behavior in breach of section 15.4(d), Schedule 3, Table C, Number 8 of the FNSW Grievance and Disciplinary Regulations (Regulations).</p>	<p>1. <u><i>Plea:</i></u> Guilty. <u><i>Finding:</i></u> Guilty <u><i>Determination:</i></u> Two (2) Fixtures Suspension <u><i>Reasons:</i></u> <i>The GPT was satisfied that there was sufficient evidence to show that the Respondent failed to follow the direction of the Match Official after having received a warning before being sent off. The GPT notes that the Respondent has pleaded guilty.</i></p>
<p>2. The Respondent used offensive, insulting or abusive behaviour and/or gestures towards or about a Match Official in breach of section 15.4(d), Schedule 3, Table B, Number 1 of the FNSW Grievance and Disciplinary Regulations.</p>	<p>2. <u><i>Plea:</i></u> Guilty. <u><i>Finding:</i></u> Guilty <u><i>Determination:</i></u> Three (3) Fixture suspension <u><i>Reasons:</i></u> <i>The GPT found that there was clear evidence satisfied to show that the Respondent did use language that was directed at the Match Officials and can be deemed abusive, insulting or</i></p>

abusive and aggressive in nature. This incident occurred after the match. The Respondent has also pleaded guilty accepting the reports of the Match Officials.

The GPT, in determining the total sanction for the Respondent, determined that the two incidents happened at two separate times (at the time of the sending off and following the match) and as such determined that the sanctions be served cumulatively.

*Therefore, the Respondent is to serve a combined suspension of **five (5) fixtures**.*

NB. The Respondent is to serve the suspension as a Team Official and in accordance with section 14.6 of the Regulations, in particular, sub-sections 14.6(h) and (i) which provide that, on the day of a Fixture, the Respondent must not:

- a. enter the field of play (or court), its surrounds, the technical area, players race, dressing rooms or any other place within a stadium, venue, ground or Centre where players and/or officials are likely to assemble to prepare for a match;*
- b. be seated in an area in a stadium, venue, ground or Centre normally reserved for players and/or officials; and*
- c. in the case of coach, must not engage or attempt to engage a third party to relay coaching instructions.*

For the avoidance of doubt, the Respondent is able to conduct training sessions and coach during pre-season trial and friendly matches. However, such matches will not count towards the serving of the suspension.

Costs:

The Tribunal determined that the costs of the Tribunal, as determined by FNSW, be met by the Respondent.

Aggrieved parties to a determination of the FNSW General Purposes Tribunal may lodge an appeal to the FNSW Appeals Tribunal in accordance with sections 8.8 and 9.2 of the FNSW Grievance and Disciplinary Regulations. Any appeal must be submitted by completing the online Notice of Appeal form (Prescribed Form 12 – available on the FNSW website or by clicking [here](#)) and lodging the relevant Application Fee (\$750) within 7 working days of this determination being issued.

30 November 2016

Mendo Cklamovski

Member

GENERAL PURPOSES TRIBUNAL