

**GENERAL PURPOSES TRIBUNAL
OF FOOTBALL NEW SOUTH WALES
FINAL DETERMINATION
IN THE FOLLOWING MATTER:**

GPT 15/44

Respondent	Mr Hassan Mansour
Attendees	Mr Sam Hassan, Club President Mr Ali Sabra, Team Manager Mr Lorenzo Crepaldi, Legal Counsel FNSW Mr Shane Merry, Disciplinary Coordinator FNSW
The basis upon which the matter is before the General Purposes Tribunal	Grievance and Disciplinary Regulations Sections 8.2 and 15.3
Key Words/Phrases	Falsification of Team Sheet, Use of suspended/ineligible Players,, Responsibility of Team Officials.
Date of Hearing	15 December 2015
Date of Final Determination	13 January 2016
General Purposes Tribunal Members	Mr Chris Gardiner (Chair) Mr David Lewis Ms Courtney McLean

A. INTRODUCTION

1. Football NSW has established this General Purposes Tribunal pursuant to Section 5 of the Football NSW Grievance and Disciplinary Regulations 2014 ("Regulations").
2. A General Purposes Tribunal (GPT) is responsible for hearing and determining:
 - 2.1. Breaches of Misconduct and Disrepute as set out in Section 8.2 of the Regulations;
 - 2.2. Grievances between Members as set out in Section 8.3 of the Regulations;
 - 2.3. Matters referred by Football NSW's Disciplinary Committee as set out in Section 8.4 of the Regulations;
 - 2.4. Any other matter Football NSW considers important to the interests of football in the State, at its absolute discretion, as set out in Section 8.1 (a) (iii).
3. The GPT makes determinations as set out in Section 8.5 of the Regulations.

B. NOTICE OF CHARGES

4. Football NSW issued a Notice of Charges against the Respondent dated 27 November 2015, alleging:

CHARGE 1: breaches of Sections 2.1 and 2.2(g) of the FFA Code of Conduct and/or Section 15.3 (b) and/or (e) of the Football NSW Regulations.

CHARGE 2: breaches of Sections 3.2(b)(ii), (c), and (d) of the Football NSW Competition Regulations and Sections 15.3 (d) and/or (e) of the Football NSW Regulations.

CHARGE 3: breaches of Sections 2.1 and 2.2(g) of the FFA Code of Conduct and/or Section 15.3 (b) and/or (e) of the Football NSW Regulations.

CHARGE 4: breaches of Sections 3.2(b)(ii), (c), and (d) of the Football NSW Competition Regulations and Sections 15.3 (d) and/or (e) of the Football NSW Regulations.

CHARGE 5: breaches of Sections 2.1, 2.2(c), (d), and/or (k) of the FFA Code of Conduct and/or Sections 15.3(b), (d) Schedule 3 Table C Number 3 and/or 6, (e), (f), (g) and/or (h) of the Football NSW Competition Regulations.
5. The conduct alleged in the Notice of Charges for the Respondent was as follows:

CHARGE 1: *On 27 September 2015, the Participant (Hassan Mansour) was the Manager of the Arncliffe Aurora Football Club (Club) U16 team who played in Round 3 of the U/16 Football NSW Champion of Champions Tournament Match against Pendle Hill Football Club. During this Match, the Club played a Player (x) under a false name (Y). As the Manager of the team, the Participant was responsible for ensuring that the Team Sheet was correctly completed.*

CHARGE 2: *During the Match, the Club played an ineligible Player (X). At the relevant time, X was subject to a three Fixture suspension imposed by St George Football Association on 22 August 2015 and had one Fixture remaining to be served. As the Manager of the team, the Participant was responsible for ensuring that the team fielded eligible Players*

CHARGE 3: *During the Match, the Club played a Player (Z) under a false name (A). As the Manager of the team, the Participant was responsible for ensuring that the Team Sheet was correctly completed.*

CHARGE 4: *During the Match, the Club played an ineligible Player (Z). At the relevant time, Z was subject to a one Fixture suspension imposed by Football NSW on 20 September 2015 for an R6 offence. As the Manager of the team, the Participant was responsible for ensuring that the team fielded eligible Players*

CHARGE 5: *At the conclusion of the Match, Players from the Club were involved in a melee. As the Manager of the team, the Participant failed to provide a safe environment for Participants or to maintain public order at a Match*

6. The Respondent pleaded guilty to Charges 1-4, and Not Guilty to Charge 5.

C. DECISION OF THE GPT

7. In relation to Charges regarding team members playing whilst suspended and under false names, the Tribunal determined that Hassan Mansour be suspended from football and futsal team officiating (coaching, managing, training) until 30 June 2016.

D. THE HEARING

8. The Hearing was held at Football NSW on 15 December 2015.
9. The Respondent was provided an opportunity to make submissions on the competence and/or jurisdiction of the Tribunal. No submissions were made.
10. The Respondent was cautioned with regard to the accuracy and honesty of any testimony provided.
11. The Respondent was advised of his right to appeal any determination of the Tribunal.

E. EVIDENCE & SUBMISSIONS

12. The Tribunal accepted and relied on Annexures 1 and A-Z submitted by Football NSW for this and related GPT 14-44 matters, and detailed in the Notice of Charges.
13. Mr Mansour admitted Charges 1 to 4 and expressed his regret and remorse for his actions, but submitted as mitigation that he had followed the directions, and explanations for those directions, from the Team Coach.
14. Mr Mansour did not admit guilt for Charge 5, submitting that he had reacted responsibly and immediately to manage the incident.

F. CONSIDERATION & COMMENT

15. The Tribunal noted Mr Mansour's admissions of guilt.

16. Mr Mansour's defence of his misconduct was that he had followed the directions of the team Coach, and accepted the explanations from the Coach for those directions. He claimed that he accepted the advice from his Coach that suspensions had been dealt with for the players involved. He claimed that he had not discussed the matter of the suspensions with his brother, one of the suspended players. He stated that he had not been involved in completing the match sheet for the event.
17. To his credit, the Coach, Mr Sabra, accepted responsibility for the actual entry of false names on the match sheet. Mr Sabra also admitted to the Tribunal that he had told Mr Mansour that the suspensions had been dealt with.
18. The Tribunal found it hard to believe, however, that Mr Mansour had not discussed his brother's suspension with him in the days before the match. It also found it hard to believe that Mr Mansour did not understand that minimum red card suspensions could not be waived.
19. The Tribunal held the view that, whilst mitigating the conduct and guilt, the dominant role by the Coach did not excuse Mr Mansour of his independent obligation as a Team Official to know and obey the rules and regulations, and to ensure they were obeyed by Players.
20. Playing suspended players, and under false identities on a match sheet, constitutes serious misconduct and warrants a strong sanction. Acquiescence in such misconduct involves complicity.
21. Joining Charges 1 to 4, the Tribunal found that Mr Mansour was guilty of breaching Section 2.2(g) of the FFA Code of Conduct and, so, Section 2.1 of that Code; guilty of a breach and liable under Sections 3.2(b)(ii), (c), and (d) of FNSW Competition Regulations; and, so, guilty of a breach of Section 15.3(b) and (d) of FNSW Regulations; and, so, guilty of unprofessional and unsportsmanlike behaviour under Section 15.3(e) of FNSW Regulations.
22. The Tribunal determined that, recognizing the secondary role he played, an appropriate sanction was that Mr Mansour be suspended from football and futsal team officiating (coaching, managing, training) until 31 June 2016.
23. The Tribunal had before it significant evidence of a violent incident involving Players in the team Mr Mansour was managing at the Champion of Champions event.
24. Mr Mansour's evidence was that when the violence broke out he immediately responded by moving to the melee to try to control key players.
25. The Tribunal accepted his evidence with regard to Charge 5 and found him not guilty.
26. The Tribunal notes, however, concerns about the extent to which risk had been managed for this team and its Supporters, and the extent to which the Club had properly trained the Manager and Team Officials, concerns addressed in determinations made on Charges against the Club in another part of the Tribunal process.
27. The Tribunal determined that the costs of the Tribunal processes relating to Mr Mansour's matters, as assessed by Football NSW, be met by his Club, for reasons fully outlined in the Determination of GPT14-44 Charges against the Club.

Chris Gardiner
Chairman
6 January 2015