

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

GPT 15/49

Respondent	Mr John Tsakiridis
Attendees	Ms Annie Lucchitti, Witness (by phone)
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	Playing whilst Suspended, Playing under False Identity
Date of Hearing	10 December 2015
Date of Final Determination	15 December 2015
General Purposes Tribunal Members	Mr Chris Gardiner (Chair) Mr Mendo Cklamovski Mr Ben Jones

## **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 Section 15.3 (d) and 14.4(e) of the Football NSW Regulations.

**CHARGE 2:** breaches of Clauses 2.1 and 2.2(g) of the FFA Code of Conduct and Sections 15.3 (b) and/or (e) of the Football NSW Regulations

5. The conduct alleged in the Notice of Charges for the Respondent was as follows:

**CHARGE1:** *On 29 May 2011 during a FNSW Premier League Division 2 Match between Belmore Hercules FC and Fairfield Wanderers at Blick Reserve, Ashbury, the Participant (John Tsakiridis) received a Red Card then committed a number of offences against the Match Officials. Subsequently, on 28 June 2011, the Participant faced a FNSW General Purposes Tribunal and was found guilty of unsportsmanlike conduct, violent conduct by making inappropriate physical contact with a Match Official, using foul and abusive language and being disrespectful or abusive of Match Officials or of their decisions. The words used included "What the fuck did I say?" and "you're a fucken poof ref". The Participant received an 18 month suspension from all football activities to date from 28 June 2011 and expire on 31 December 2012 (GPT 09-11 relates). On 27 September 2012, the Participant again faced a FNSW General Purposes Tribunal as it was alleged that he was playing whilst suspended for the Belmore United Football Club in the All Age Men's Division 5 team in the Canterbury District Soccer Football Association. He was found guilty of misconduct and suspended for 5 years. This suspension was to commence at the expiry of the suspension he was then serving and was to date from 31 December 2012 and expire on 31 December 2017(GPT 12-41 relates). On Friday, 16 October 2015, FNSW received a report from a Player at Marrickville Police and Citizens Youth Club (Marrickville PCYC) stating that the Participant had played a Futsal match at the venue on Monday, 12 October 2015. On Tuesday, 20 October 2015, a representative of Marrickville PCYC advised FNSW that the Participant played Futsal at Marrickville PCYC on Monday, 19 October 2015*

**CHARGE 2:** *On 19 October 2015, the Participant played Futsal at Marrickville PCYC under a false name, namely "John Paleologos".*

6. The Respondent pleaded guilty to the Charges and accepted the related reports in a Notice of Response dated 8 December 2015.

**C. DECISIONS OF THE GPT**

7. The Tribunal found that Mr Tsakiridis had played whilst suspended and under a false identity, determined that he was guilty of the Charges, and determined that he serve a 5-year suspension from Football activities to take effect from the cessation of current suspensions in place.
8. The Tribunal determined that the costs of the Tribunal process related to his matter, as assessed by Football NSW, be met by Mr Tsakiridis.

**D. THE HEARING**

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

**E. EVIDENCE & SUBMISSIONS**

14. The Tribunal noted Determinations in GPT 11/09 and GPT 12/41.
15. The Tribunal accepted and relied on the following Documents and Annexures from Football NSW:
  - 15.1. A copy of team sheet from the Futsal Competition at Marrickville PCYC for the team designated STFU FC submitted by Football NSW as Annexures 1-3
  - 15.2. A copy of a screen shot of a registration status submitted by FNSW as Annexure C
  - 15.3. A copy of a witness statement from Mr Vito Giordano (undated) submitted by FNSW as Annexure D
  - 15.4. A copy of a statement from Ms Annie Lucchitti, Futsal Coordinator at Marrickville PCYC, dated 19 October 2015 submitted by Football NSW as Annexure G
16. Mr Tsakiridis admitted playing whilst suspended and expressed regret.
17. Mr Tsakiridis denied that he had represented himself under another name when confronted by a Centre Official.
18. Mr Tsakiridis submitted, on the issue of an appropriate sanction that he would accept the decision of the Tribunal but hoped he would be able to resume involvement in Football before the age of 30.

## **F. CONSIDERATION & COMMENT**

19. The Tribunal noted Mr Tsakiridis' admission of guilt to playing whilst suspended.
20. Mr Tsakiridis denied at the hearing that he had represented himself under another name when confronted by a Centre Official, Ms Lucchitti. He claimed Ms Lucchitti had been confusing a discussion she had had with another team member with the one she had with him.
21. Ms Lucchitti provided testimony by phone. She was consistent and unshaken in her account of her interaction with Mr Tsakiridis, confirming her written statement that she had asked Mr Tsakiridis directly to identify himself and that he had represented himself as a 'John Paleologos'. She acknowledged that she had also spoken with another team member about the issue, but denied confusing the conversations.
22. The Tribunal found Ms Lucchitti to be a very credible witness, found no reason to reject her account, and favored her account over Mr Tsakiridis's explanation.
23. The Tribunal found that Mr Tsakiridis had played whilst suspended and had represented himself under a false name.
24. The Tribunal determined that Mr Tsakiridis breached Clause 2.2(g) of the FFA Code of Conduct by 'making a false claim' and had breached Section 14.4(e) of the FNSW Regulations in playing whilst suspended.
25. The Tribunal noted that Mr Tsakiridis was currently serving a lengthy suspension for a similar offence until 31 December 2017 and determined that he serve an additional 5-year suspension from all Football activities, to commence when the current suspension was completed.
26. Mr Tsakiridis is therefore suspended from all Football activities until 31 December 2022. For the avoidance of doubt, this suspension applies to all eleven-a-side Football and all Futsal competitions controlled, governed or sanctioned by Football NSW, its member-Associations and affiliated Futsal Centres and includes playing, coaching or acting as a Team, Club or Match official. Mr Tsakiridis is able to attend such matches as a spectator.
27. Other Member Federations may be notified of this Determination and may, at their discretion, apply the suspension to their competitions.
28. The Tribunal determined that the cost of the Tribunal process relating to his matter, as assessed by Football NSW, be met by Mr Tsakiridis.

**Chris Gardiner**  
**Chairman**

15 December 2015