

## GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the  
FNSW Grievance and Disciplinary Regulations

### Proceeding Details:

<b>Tribunal reference</b>	MGPT 16-48
<b>Date of hearing</b>	8 August 2016
<b>Time of hearing</b>	7:30pm
<b>Venue of hearing</b>	FNSW
<b>Tribunal Member(s)</b>	Mendo CKLAMOVSKI
<b>Respondent</b>	Miguel QUINECHE (FFA: 77823532)
<b>Fixture</b>	National Premier League 2 (NPL2) Youth Under 16s match Nepean FC v Inter Lions FC on 17 July 2016 at The Crest Athletic Centre.

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

### Charge(s) and Determination(s):

<b>Charge(s)</b>	<b>Tribunal determination</b>
<p>1. The Respondent (Miguel Quineshe) used offensive, insulting or abusive language 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 (<b>Regulations</b>).</p>	<p>1. <u><i>Plea:</i></u> Not Guilty. <u><i>Finding:</i></u> Not Guilty</p> <p><u><i>Determination:</i></u></p> <p>No sanction</p> <p><u><i>Reasons:</i></u> <i>The GPT found there was insufficient evidence to show that the Respondent did use "offensive, insulting or abusive language" towards a Match Official.</i></p> <p><i>The Respondent pleaded not guilty and claimed that he did say to the referee words to the effect of "why don't you learn the game" he was adamant that he did not swear at any time. There were two witnesses, seated in the technical area during the match, who attested to this while the referee does not conclusively identify the Respondent in his statement.</i></p> <p><i>NB. The Referee was not available for the Hearing so the GPT could not clarify the details.</i></p>

<p>2. The Respondent (Miguel Quineshe) failed to follow any reasonable direction of an Official or Football NSW employee or representative in relation to conduct and/or behavior at a Match in breach of section 15.4(d), Schedule 3, Table C, Number 8 of the FNSW Grievance and Disciplinary Regulations (<b>Regulations</b>).</p>	<p>2 <u>Plea</u>: Not Guilty. <u>Finding</u>: Not Guilty</p> <p><u>Determination</u>:</p> <p>No sanction</p> <p><u>Reasons</u>: <i>The GPT found there was insufficient evidence to show that the Respondent did not follow the referee's decision to leave the technical area.</i></p> <p><i>While the Respondent did acknowledge that the Referee directed him to return to the technical area, he was not aware that he had been sent from the field of play. The Referee's decision to not go and clarify the sending off could have resulted in reasonable confusion or misunderstanding on the Respondent's behalf. It would be expected that the Referee would not continue the match if the Respondent was still in the field of play against his direction.</i></p>
<p>3. The Respondent (Miguel Quineshe) entered the Field of Play without Authorization in breach of section 15.4(d), Schedule 3, Table C, Number 9 of the FNSW Grievance and Disciplinary Regulations (<b>Regulations</b>).</p>	<p>3 <u>Plea</u>: Guilty. <u>Finding</u>: Guilty</p> <p><u>Determination</u>:</p> <p>Two (2) Fixture suspension</p> <p><u>Reasons</u>: <i>The GPT found there was sufficient evidence to show that the Respondent did enter the field of play without authorization.</i></p> <p><i>The Respondent pleaded guilty to the charge and there was no dispute of the charge. The GPT acknowledged the Respondent's acceptance of guilt and admission of the actions.</i></p> <p><u>The Respondent is required to serve a total suspension of Two (2) Fixtures.</u></p> <p><u>NB. The suspension is to apply to all football activities</u></p>
<p><b>Costs:</b></p> <p>The Tribunal determined that the costs of the Tribunal, as determined by FNSW, be met by the Respondent.</p>	

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.

**8 August 2016**

Mendo Cklamovski

Member

**GENERAL PURPOSES TRIBUNAL**