

## GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the  
FNSW Grievance and Disciplinary Regulations

### Proceeding Details:

<b>Tribunal reference</b>	MGPT 16-50
<b>Date of hearing</b>	8 August 2016
<b>Time of hearing</b>	6:30pm
<b>Venue of hearing</b>	FNSW
<b>Tribunal Member(s)</b>	Mendo CKLAMOVSKI
<b>Respondent</b>	Albert DISCIASCIO (FFA: 55820906)
<b>Fixture</b>	Women's National Premier League 2 (WPL2) Reserve Grade match Bankstown City FC v Northern Tigers on 24 July 2016 at Mills Park.

*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 (Albert Disciascio) 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>: Guilty</p> <p><u><i>Determination</i></u>:</p> <p>Three (3) match suspension (MMS + 2 Fixtures).</p> <p><u><i>Reasons</i></u>: <i>The GPT found there was sufficient 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 was trying to get the referee's attention and did not swear. Both the referee and Assistant Referee (AR) were unwavering in their statements. The AR was very clear in his evidence, via telephone, stating he was "absolutely" sure that it was the Respondent who said "F... off I'm not going". The AR further stated that he had a clear, unobstructed view and pointed out that the Respondent had a Spanish sounding accent and described the Respondent's behavior as "not overly aggressive" but clearly of a loud and dissenting nature. The Respondent did not ask for further clarification of the evidence.</i></p>

	<p><u>NB. The suspension is to apply to all football activities.</u></p>
<p>2. The Respondent (Albert Disciascio) 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 Regulations.</p>	<p>2 <u>Plea</u>: Not 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 not follow the referee's decision to leave the technical area resulting in the Referee's decision to abandon the match.</i></p> <p><i>While the Respondent pleaded not guilty to the charge, however did acknowledge that he had questioned the Referee's decision and had received a warning from the Referee. There was strong evidence to suggest that the Referee did in fact give the Respondent a second warning, and based on the Respondent's refusal to leave the technical area, abandoned the match.</i></p> <p><u>The Respondent is therefore required to serve a total suspension, for both charges, of Five (5) 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**