

## NOTICE OF DETERMINATION

Section 8.2 of the  
FNSW Grievance and Disciplinary Regulations

### Proceeding Details:

<b>Tribunal reference</b>	MGPT 16-75
<b>Date of hearing</b>	N/A
<b>Time of hearing</b>	N/A
<b>Venue of hearing</b>	N/A
<b>Tribunal Member(s)</b>	N/A
<b>Respondent</b>	Shaun BORTHWICK (FFA: 54167713)
<b>Fixture</b>	Champion of Champions 1 <sup>st</sup> grade match between Penrith Rovers FC and West Pymble FC on 25 September 2016 at Mark Leece Oval.

*This Notice constitutes the Executive's determination of this matter.*

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

Charge(s)	Determination
1. The Respondent ( <b>Shaun Borthwick</b> ) received a Red Card for using 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> ).	1. <u>Plea</u> : Guilty. <u>Finding</u> : Guilty <u>Determination</u> : Three (3) Fixture suspension
2. The Respondent used threatening or intimidating language or conduct towards a Match Official in breach of section 15.4(d), Schedule 3, Table B, Number 5 of the Regulations.	2. <u>Plea</u> : Guilty. <u>Finding</u> : Guilty <u>Determination</u> : Twelve (12) Fixture suspension
3. The Respondent used threatening or intimidating language or conduct towards a Match Official in breach of section 15.4(d), Schedule 3,	3. <u>Plea</u> : Guilty. <u>Finding</u> : Guilty <u>Determination</u> : Twelve (12) Fixture suspension

<p>Table B, Number 5 of the Regulations.</p>	<p><u>The sanctions in Charges 2 and 3 are to be served wholly concurrently such that the Respondent is only required to serve a total suspension of 15 Fixtures.</u></p> <p><u>NB. The Respondent is to serve the suspension as a Player 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:</u></p> <ol style="list-style-type: none"> <li>a. <u>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; and</u></li> <li>b. <u>be seated in an area in a stadium, venue, ground or Centre normally reserved for players and/or officials.</u></li> </ol> <p><u>The suspension is to be served in the Respondent's next competitive matches be they in the Nepean Football Association (NFA) competition in 2017 or the FNSW 2017 Champion of Champions (whichever occur first), until the suspension is served in full.</u></p> <p><u>Subject to any NFA regulation to the contrary, the Respondent is entitled to play in any trial or pre-season matches but cannot serve the suspension in any such matches.</u></p>
<p><b>Costs:</b> N/A</p>	

The Respondent has accepted the determination in lieu of proceeding to a hearing and, in so doing, has waived any right of appeal.