

## GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the  
FNSW Grievance and Disciplinary Regulations

### Proceeding Details:

<b>Tribunal reference</b>	MGPT 16-23
<b>Date of hearing</b>	24 May 2016
<b>Time of hearing</b>	6:30pm
<b>Venue of hearing</b>	FNSW Board Room
<b>Tribunal Member(s)</b>	Marcelo Valerio
<b>Respondent</b>	Mr TREX (FFA:XXXXXXXX)
<b>Fixture</b>	U??s Hakoah SCEFC v Manly Utd FC on XX YYYY 2016 at Hensley Athletic Field

*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 (player Mr TREX) used offensive, insulting or abusive language towards a Match Official (e.g. offensive, insulting or abusive language and/or gestures towards 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> Guilty. <u><i>Finding:</i></u> Guilty <u><i>Determination:</i></u> Suspended MMS+2 fixtures (3 Fixtures).</p> <p>2. <u><i>Reasons:</i></u> The charge relates to the use of the phrase "You are fucked Ref" after receiving a second yellow and consequently a red card.</p> <p>3. The Tribunal notes that the Respondent has pleaded guilty and as such accepts the version provided by the Match Official the subject of the abuse.</p> <p>4. Nevertheless, using offensive language towards a Match Official is, in the Tribunal's view, a serious offence which carries significant specific and general deterrence considerations.</p> <p>5. The conduct of the Respondent was not ongoing and as such it lies towards the lower end of the scale for this type of offence.</p> <p>6. The Respondent is suspended for the minimum allowed by the Regulations, namely MMS + 2 fixtures.</p>

**Costs:**

The Tribunal determined that the costs of the Tribunal, as determined by FNSW, be met by the Respondent.

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.

**24 May 2016**

Marcelo Valerio

Member

**GENERAL PURPOSES TRIBUNAL**