

**PRELIMINARY NOTICE OF DETERMINATION.**  
27<sup>th</sup> September 2017

**Reference is made to the following Tribunal:**

<b>1. Date of the Tribunal</b>	<b>26th September 2017</b>
<b>2. Tribunal that heard the case</b>	<b>General Purpose Tribunal (GPT)</b>
<b>3. Tribunal reference number</b>	<b>17/36</b>
<b>4. Tribunal Members</b>	<b>David LEWIS (Chair), Ben JONES Louis FAYD'HERBE</b>
<b>5. Venue of Tribunal</b>	<b>FNSW Committee Room</b>
<b>6. Time of Tribunal</b>	<b>6.30pm</b>
<b>7. Respondent</b>	<b>Mr Azam Dabbagh</b>

**This document constitutes a Preliminary Notice of Determination resulting from the Tribunal listed above.**

Charges against the Respondent under section 9.2 and 16.4 of the Football NSW Grievance and Disciplinary Regulations 2017 (the Regulations) for alleged breaches by the Respondent of sections 16.4(d) of the Regulations related to incidents during the Association Youth League (AYL) Under 14s match between Southern Districts SFA and Sutherland Shire FA at Sydney Ernie Smith Reserve on 30 July 2017.

## Summation of the Tribunal:

**The Tribunal found that the evidence and admissions:**

**In part supported the Charges** brought against the Respondent.

## Determination of the Tribunal:

The Respondent pleaded NOT GUILTY to Charge 1 and to Charge 2.

During the Hearing the Respondent reluctantly agreed that he had called out to the Match Official from the sideline during the Match and at the end of the Match approached to speak with the Match Official but denied any abuse whatsoever and denied the use of some of the words set out in the Charges.

The Tribunal found the Respondent GUILTY of Charges 1 and 2 albeit that there was doubt as to the actual words used. The Tribunal found that the Respondent had threatened and intimidated the Match Official.

## Sanctions Imposed

In relation to Charge 1, the Tribunal imposed sanctions on the Respondent under Schedule 3, Table B, Offence Code 09-01 – Offences by Participants Against Match Officials: *“Threatening or intimidating language or conduct towards a Match Official”*.

In relation to Charge 2, the Tribunal imposed sanctions on the Respondent under Schedule 3, Table B, Offence Code 09-01 – Offences by Participants Against Match Officials: *“Threatening or intimidating language or conduct towards a Match Official”*.

In relation to Charge 1, the Respondent is suspended for **six (6) months** from ALL Football Related Activities in relation to the Charge 1.

In relation to Charge 2, the Respondent is suspended for **twelve (12) months** from ALL Football Related Activities in relation to the Charge 2.

Football Related Activities are defined in Section 15.5(e) of the Regulations.

As Charge 2 related to actions by the Respondent of a “wholly different character” to Charge 1, the Tribunal applied the precedent of Andrew Prentice v FNSW 12 October 2016 (Appeals Tribunal of FNSW) to the effect that sanctions for these different offences may not be served concurrently but consecutively.

The Tribunal orders that these Sanctions are to be served consecutively and in accordance with Section 15.5 of the Regulations.

These Sanctions commence immediately and the Respondent may not attend any match and is suspended from ALL Football Related Activities for **eighteen (18) months**.

**Fines Imposed**

NIL.

**Bonds Imposed**

Nil.

**Additional Matters and Fees as per the Notice of Costs:**

The Respondent is to pay the costs of the Tribunal process as assessed by Football NSW.

A full written Determination will be produced.

**Aggrieved parties to a determination of the FNSW General Purposes Tribunal may lodge an appeal to the FNSW Appeals Tribunal in accordance with sections 9.6 and 10 of the FNSW Grievance and Disciplinary Regulations. Any appeal must be submitted on the Notice of Appeal form (Prescribed Form 12) to [tribunal@footballnsw.com.au](mailto:tribunal@footballnsw.com.au) with the relevant Application Fee within 7 days of the Final Determination of the GPT being sent to the Respondent.**



**David P. Lewis**  
**Chairman**  
**GENERAL PURPOSES TRIBUNAL**