



FOOTBALL
NSW

NOTICE OF DETERMINATION

Proceeding under section 9.2 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 19-62
Date of hearing	30 January 2020
Time of hearing	6.30pm
Venue of hearing	Football Federation Australia
Tribunal Member(s)	Robert IACONIS
Respondent	Player X
Fixture	Futsal Premier League 2 (FPL 2) 18 Women's match between Dural Warriors and Sydney City Eagles at Thomas Hassall Anglican College on 14 December 2019.

Charge(s) and Determination(s):

Charge(s)	Tribunal determination
<p>1. The Respondent (Player X) pushed a Match Official in breach of section 16.4(d), Schedule 3, Table B, Offence Code 12-01 of the Football NSW Grievance and Disciplinary Regulations 2019 (Regulations).</p>	<p>1. <u>Plea:</u> Not Guilty <u>Finding:</u> Not Guilty</p> <p><u>Determination:</u></p> <p>N/A</p> <p><u>Reasons:</u></p> <p>The GPT was satisfied that there was contact between the Respondent and the Match Official. The GPT was not satisfied that the charge as laid by Football NSW was proved.</p> <p>However, the GPT was satisfied that a different charge was proved (see Charge 2 below).</p>
<p>2. The Respondent (Player X) made inappropriate contact with a Match Official in breach of section 16.4(d), Schedule 3, Table B, Offence Code 11-01 of the Football NSW Grievance and Disciplinary Regulations 2019 (Regulations).</p>	<p>2. <u>Finding:</u> Guilty</p> <p><u>Determination:</u></p> <p>Time Suspension of five (5) months and 29 days</p> <p><u>Reasons:</u></p> <p>While the GPT was not satisfied that the Respondent had pushed the Match Official, it was satisfied that the contact the Respondent made with</p>

the Match Official was inappropriate and therefore finds her guilty of the charge.

Serving of Suspension:

The GPT has determined that the Respondent is to serve a **Time Suspension of five (5) months and 29 days**.

In respect of the Time Suspension and in accordance with section 13.12 of the Regulations:

- The Respondent is to serve **three (3) months of the Time Suspension with immediate effect**; and
- The balance of the Time Suspension (i.e. two months and 29 days) is suspended for a for a probationary period of **twelve (12) months**. The probationary period will commence after the Respondent serves her immediate Time Suspension. The types of Offences which, if committed, activate the suspended part of the Respondent's Time Suspension are:
 - all Offences (excluding R4, R5 and R7) in Schedule 3, Table A of the Regulations;
 - all Offences in Schedule 3, Table B of the Regulations; and
 - all Offences in Schedule 3, Table C of the Regulations.

NB. The Respondent is suspended from **ALL** Football Related Activities.

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

The Respondent is to serve the Time Suspension in accordance with section 15.5 of the Regulations, in particular, sub-sections 15.5(e), except that, given the age of the Respondent and as a major concession, the GPT has, under sub-section 15.5(d), determined that the Respondent is free to train with her club during the Time Suspension.

For clarity, the Respondent is **not** entitled to attend any Fixtures that her club is participating in, in any capacity (including as a Spectator) during the Time Suspension.

However, if the Respondent commits any of the Offences noted above during the probationary period the Respondent will be suspended from all Football Related Activities, which will include training with her club.

- In accordance with section 15.3 of the Regulations, the Club and Club Officials are responsible for ensuring the Respondent correctly and fully serves any Suspension.
- A Club and/or Club Official in breach of section 15.3 will be deemed to have committed Misconduct (section 16.4) and the Executive may, in its absolute discretion, take any relevant action pursuant to section 9.2.
- The Club and Club Officials must list in an appropriate place on a team sheet that the Respondent is serving a Suspension at the time the team sheet is completed.
- Failure to do so will result in a fine of \$200 per Participant per match and further sanctions.

Costs:

N/A

Aggrieved parties to a determination of the FNSW General Purposes Tribunal may lodge an appeal to the FNSW Appeals Tribunal in accordance with articles 9.6 and 10 of the FNSW Grievance and Disciplinary Regulations 2019. Any appeal must be submitted by completing the online Notice of Appeal form (Prescribed Form 12) to tribunal@footballnsw.com.au with the relevant Application Fee within seven (7) working days of this Notice of Determination being issued.

13 February 2020

Robert Iaconis

Member

GENERAL PURPOSES TRIBUNAL