



FOOTBALL
NSW

GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 16-63
Date of hearing	6 September 2016
Time of hearing	6:30pm
Venue of hearing	FNSW
Tribunal Member(s)	Mendo CKLAMOVSKI
Respondent	Joe PACCHIAROTTA (FFA: 76999705)
Fixture	National Premier League (NPL) Tier 2 Youth Under 15s match between Sydney University SFC and SD Raiders FC on 23 August 2016 at Ernie Smith Reserve.

This Notice constitutes the General Purposes Tribunal's Determination resulting from the Tribunal hearing listed above.

Charge(s) and Determination(s):

Charge(s)	Tribunal determination
<p>1. The Respondent (Joe Pacchiarotta) 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 (Regulations).</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) Fixture 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 language that was insulting or abusive based on the evidence of two of the Match Officials and the partial admission from the Respondent. The main point of contention was whether the words "your an (SIC) disgrace" or "that's disgraceful" were used with the Respondent supplying several witness statements stating the latter.</i></p> <p><u><i>In making its determination, the GPT believed that either statement could be considered offensive or insulting as it could be seen to undermine the Match Official's performance and as such came to a finding of Guilty.</i></u></p>

	<p><u><i>NB. The suspension is to apply to all football activities.</i></u></p> <p><i>The GPT did consider the Respondent's request to attend his child's matches should he be suspended and felt that this would be acceptable providing the Respondent had a club "minder" with him at any such match.</i></p>
<p>Costs:</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.

9 September 2016
Mendo Cklamovski
Member
GENERAL PURPOSES TRIBUNAL