

GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 17-02
Date of hearing	22 February 2017
Time of hearing	6:30pm
Venue of hearing	Football NSW
Tribunal Member(s)	Mendo CKLAMOVSKI
Respondent	Dominic CASTRO (FFA No: 51400760)
Fixture	Futsal Premier League (FPL) U14's Boys match between Enfield Rovers FC and Mascot Vipers FC on 11 February 2017 at Morris Iemma Sports Centre.

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 (Dominic Castro) entered the Field of Play without authorisation in breach of section 15.4(d), Schedule 3, Table C, Number 9 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>Two (2) Fixture suspension</p> <p><u><i>Reasons</i></u>: <i>The GPT was satisfied that there was sufficient evidence to show that the Respondent did enter the field of play without authorisation on one or more occasions. The finding is based on the evidence of the two Match Officials, the video, and a partial admission from the Respondent.</i></p> <p><i>While the Respondent claimed that there were mitigating circumstances, ie. the dispute of a referee decision, these circumstances do not take away from the clear breach of the Regulations.</i></p>

2. The Respondent failed to follow any reasonable direction of an Official or Football NSW employee or representative in relation to conduct and/or behavior in breach of section 15.4(d), Schedule 3, Table C, Number 8 of the Regulations.

2. Plea: Not Guilty. Finding: Guilty

Determination:

Two (2) Fixture suspension

Reason: The GPT, in determining the total sanction, has decided on the minimum sanction due to the low severity of the offence however notes that the Respondent did not show sufficient remorse or contrition for his actions.

The GPT also notes the lack of representation from the Enfield Rovers club which is of concern as the GPT is unable to determine if the club has taken any action in relation to the Respondent's behaviour.

Therefore, the Respondent is to serve a combined suspension of **four (4) fixtures**.

NB. The Respondent is to serve the suspension as a Team Official 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:

- a. 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;
- b. be seated in an area in a stadium, venue, ground or Centre normally reserved for players and/or officials; and
- c. in the case of coach, must not engage or attempt to engage a third party to relay coaching instructions.

For the avoidance of doubt, the Respondent is able to conduct training sessions and coach during pre-season trial and friendly matches. However, such matches will not count towards the serving of the suspension.

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 February 2017

Mendo Cklamovski

Member

GENERAL PURPOSES TRIBUNAL