

GPT NOTICE OF DETERMINATION.

Proceeding under section 8.5 of the
FNSW Grievance and Disciplinary Regulations

Proceeding Details:

Tribunal reference	MGPT 16-22
Date of hearing	24 May 2016
Time of hearing	6:30pm
Venue of hearing	FNSW Board Room
Tribunal Member(s)	Marcelo Valerio
Respondent	Paulo Oliveira (FFA: 55972830)
Fixture	NPL 2 Mt Druitt Town v Fraser Park on 14 May 2016 at Popondetta Park

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 (coach Fraser Park) used offensive, insulting or abusive 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 (Regulations).</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). <u><i>Reasons:</i></u></p> <p>2. The charge relates to the Respondent telling the Referee to "fuck off" and waving his arm. The reports of both the Referee and Assistant Referee are consistent and to the Respondent's credit he has agreed with the contents of same and has not sought to minimise or justify his offending.</p> <p>3. 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>4. 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>5. The Tribunal notes the representations made on the Respondent's behalf by Mr Del Vecchio, which outline a lengthy history of involvement with Football at various levels and an insight into his offending.</p>

	<p>6. Accordingly the Tribunal has afforded the Respondent leniency to reflect the matters outlined in the representation of Mr Del Vecchio and also for the Respondent's plea of guilty.</p> <p>7. The Respondent is suspended for the minimum allowed by the Regulations, namely MMS + 2 fixtures.</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.

24 May 2016
Marcelo Valerio
Member

GENERAL PURPOSES TRIBUNAL