

PRELIMINARY NOTICE OF DETERMINATION.
23rd November 2018

Reference is made to the following Tribunal:

1. Date of the Tribunal	21st November 2018
2. Tribunal that heard the case	General Purpose Tribunal (GPT)
3. Tribunal reference number	18/75
4. Tribunal Members	David LEWIS (Chair), Mendo CKLAMOVSKI Louis FAYD'HERBE
5. Venue of Tribunal	FNSW Committee Room
6. Time of Tribunal	8.30pm
7. Respondent	DIONE KING West City Crusaders

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

Charges against the **Respondent** under Sections 9.2 and 16.4(d) of Football NSW Grievance and Disciplinary Regulations 2018 for alleged breaches of the Regulations and the FFA Code of Conduct related to incidents during the Futsal Premier Leagues 2 (FPL2) Open Women's match between West City Crusaders FC and Sydney City Eagles on 3 November 2018 at Hawkesbury Indoor Stadium.

Summation of the Tribunal:

The Tribunal found that the evidence and admissions:

Did NOT support the Charge brought against the Respondent.

Determination of the Tribunal:

Charge 1: During the Futsal Premier Leagues 2 (FPL2) Open Women's match between West City Crusaders FC and Sydney City Eagles on 3 November 2018 at Hawkesbury Indoor Stadium, Dione King of West City Crusaders FC (the **Respondent**) involved herself in a fight between opposing players and, in doing so, instigated or participated in a melee.

Charge 2: After involving herself in the fight, the Participant then punched an opposition player (Jessica Beale) with a closed fist.

The Respondent pleaded NOT GUILTY to the Charges.

The Tribunal found that:

- A. There was considerable inconsistency in the evidence available from the referees; and
- B. It was most likely that the Number 6 from Sydney City Eagles was the player who threw punches at the Respondent and that there was evidence from a number of the players and parties involved that the Respondent was significantly restrained during the fight and most likely unable to strike any player; and
- C. Ms Jessica Beale gave evidence to the effect that she was not struck by the Respondent and that she was positioned behind her during the fight and therefore the Respondent could not have even attempted to hit her; and
- D. Ms Dione King (the Respondent) gave evidence that Ms Beale was the one who pulled her out of the vulnerable position in which she found herself during the fight; and
- E. Notwithstanding the above, there **was** a fight between the two teams at the conclusion of the match although on the evidence available it was unclear who had punched who.
- F. The Tribunal was satisfied that the Respondent did not punch or attempt to punch the player alleged in the Charge.
- G. The Tribunal found that there was no melee as alleged.

H. The Respondent did involve herself in a fight and was correctly issued with a Red Card for her involvement and escalation of the fight.

Sanctions Imposed

As the Respondent has served a two (2) match suspension, no further sanctions were imposed.

Fines Imposed

NIL.

Bonds Imposed

Nil.

Additional Matters and Fees as per the Notice of Costs:

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

A full written Determination will not 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 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