

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	6.30pm
7. Respondent	ZACHARY O'RILEY 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) 19 Men'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:

In part supported the Charge brought against the Respondent.

Determination of the Tribunal:

During the Futsal Premier Leagues 2 (**FPL2**) 19 Men's match between West City Crusaders FC and Sydney City Eagles on 3 November 2018 at Hawkesbury Indoor Stadium, Zachary O'Riley of West City Crusaders FC (the **Respondent**) ran in and joined a scuffle between two opposing players and instigated or participated in a melee.

The Respondent pleaded NOT GUILTY to the Charge.

The Tribunal found that:

- A. There was considerable inconsistency in the evidence available from the Referees. One Referee noted that the respondent kicked a chair whilst the other two did not. One Referee noted that it was his teammate Mr Boness who kicked the chair.
- B. The Referees stated that the "melee" took 5-10 seconds.
- C. The fact that the Respondent was issued with a Yellow Card for his involvement indicated that his culpability was most likely low.
- D. Evidence from the co-accused, including from Sydney City Eagles, was consistent and was to the effect that the Respondent's involvement was minimal.
- E. Notwithstanding the above, there **was** a fight between the two teams in the 33rd minute of the match and the Respondent did escalate the incident by his involvement, albeit minimal.
- F. The Tribunal was satisfied that the Respondent did not punch any player.
- G. The Respondent did involve himself in a fight and was correctly issued with a Red Card for his involvement in the fight.
- H. The Tribunal found that there was no melee as alleged.

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

Fines Imposed	NIL.
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Bonds Imposed	Nil.
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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.
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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**