

**FINAL
NOTICE OF DETERMINATION**



Tribunal	General Purposes Tribunal (GPT)
Tribunal reference number	GPT 24-16
Respondent	Mr Julian Dal Bianco
Date of Hearing	1 July 2024
Venue	Audio-visual – Zoom
GPT Members	Mr Anthony Scarcella (Hearing Chair) Mr Mendo Cklamovski Mr Louis Fayd'Herbe
Date of Final Notice of Determination	4 July 2024
Findings	The actions of the Respondent as described in Charge 1 constituted an offence under Schedule 3, Table A – Red Card Offence R1 – Serious Foul Play, Offence Code 05-01: “Conduct causing serious injury”.
Sanction	1. In respect of Charge 1 - “Conduct causing serious injury”, the Respondent is to serve a twelve (12) Fixture suspension, nine (9) of which, it was agreed by the parties, have already been served to date following the issue of the Interim Suspension Order dated 17 May 2024.

	<ol style="list-style-type: none"><li data-bbox="790 241 1422 327">2. The Respondent must, therefore, serve the remaining three (3) Fixture suspension.<li data-bbox="790 398 1433 1032">3. Section 15.6 of the Regulations sets out the prohibitions placed on a Participant subject to a Fixture suspension. The GPT has determined that the suspension will NOT extend to attending training or attending to spectate at any fixtures in which the Respondent's club participates during the suspension, albeit that he may not enter the Field of Play, the Technical Area, players' dressing rooms or any other place within a venue on a match day where players, coaches or officials are likely to assemble to prepare for a match.
--	--

STATEMENT OF REASONS

INTRODUCTION AND JURISDICTION

1. The General Purposes Tribunal (GPT) has been established by Football NSW (FNSW) under section 4 of the Football NSW Grievance and Disciplinary Regulations (the Regulations). This matter was determined pursuant to the 2024 Regulations. The GPT may impose sanctions in accordance with Schedule 3 of the Regulations.

2. FNSW has a general power to investigate any incident that may constitute a breach of the Regulations. Section 1(e) of the Regulations provides:

“Where an incident may constitute a breach of these Regulations and a breach of the FA Rules and Regulations (for example, the FA Code of Conduct and Ethics or the FA National Member Protection Policy), Football NSW may in its absolute discretion determine the appropriate governing document under which to investigate, process, and penalise (if necessary) any matter.”

3. Section 9.1 of the Regulations relevantly provides:

“(a) The General Purposes Tribunal has jurisdiction to hear and determine:

- i. charges of Misconduct (including for but not limited to, serious Red Card Offences, serious infringements that escaped the Match Official’s attention and Offences disclosed in Match Official Reports (section 9.2);
- ii. Grievances between Members (section 9.3);
- iii. disciplinary matters in relation to competitions conducted by Centres or Summer Football Competition Administrators where the Executive determines, in its absolute discretion, matters have not been appropriately dealt with by the Centre or the Summer Football Administrator (as the case may be) (section 9.4);
- iv. appeals against disciplinary decisions of Centre and Summer Football Competition Administrators but only once their respective internal procedures have been exhausted (section 9.5);
- v. matters concerning the circumstances of Matches that have been Abandoned as referred to the General Purposes Tribunal under Section 2, Article 31e) of the Football NSW Competition Regulations; and
- vi. any other matter which the Executive determines, in its absolute discretion, is important to the interests of football in the State (section

9.6).”

4. Section 9.2 of the Regulations in respect of charges of misconduct relevantly provides:

“(a) The Board or the Executive may investigate any matter which in its opinion is relevant to whether or not a charge of Misconduct or Disrepute ought to be laid. Such investigation may be initiated on the basis of a written report or complaint of a Member, a Match Official Report, or on the basis of any other evidence which in the opinion of the Board or the Executive, is credible.

(b) Such investigation may be carried out by the Board or the Executive as it sees fit and Members are required to cooperate fully with Football NSW in the conduct of that investigation and must do so within the timeframe specified in any correspondence issued by Football NSW. A Member agrees that any information provided to Football NSW may be used as evidence in bringing a charge under this section 9.2 and may be provided to any party so charged. ...”

5. Section 9.6 of the Regulations is entitled “Matters of Importance” and provides:

“The Executive, in its absolute discretion, may refer any matter it determines, in its absolute discretion, to be important to the interests of football in the State, Football NSW or FA to the General Purposes Tribunal for determination. For the avoidance of doubt, such matters include (but are not limited to) those involving Members involved in football or futsal at any level in the State. For the further avoidance of doubt, any decision of the Executive that a matter is important to the interests of football in the State, Football NSW or FA is final and may not be challenged before a Body.”

6. Section 16.4 of the Regulations defines the meaning of Misconduct. Section 16.4(d) includes in the definition of Misconduct any act or omission by a Member which “constitutes a breach of these Regulations including the Offences set out in Schedule 3: Table of Offences”.

NOTICE OF CHARGE

7. The Notice of Charge FNSW issued to Mr Julian Dal Bianco (the Respondent) dated 18 June 2024 specified that he was charged as follows:

Charge 1	
Conduct alleged:	<p>In or around the 33rd minute of the NPL NSW Men's U20's match between St George City FA (SGFA) and Manly United FC (MUFC) on 4 May 2024 at Penshurst Park (Match), Mr Julian Dal Bianco (FFA No. 10347384) (Respondent), ran towards the MUFC Player, Mr Kye Hickman, with high speed and intensity and challenged for the ball by leading with his shoulder, making contact with Kye Hickman's upper body with excessive force, resulting in the MUFC Player sustaining a broken collarbone.</p> <p>For this challenge the Participant was issued with a Red Card (Red Card Code R1).</p> <p>On 17 May 2024, Football NSW issued the Participant with a Notice of Interim Suspension, suspending the Participant from playing in any Fixture for SGFA until advised otherwise by FNSW.</p>
This conduct is alleged to be in breach of:	<p>Section 16.4(b) of the Regulations, namely:</p> <p>Schedule 3, Table A – Red Card Offence R1 – Serious Foul Play, Offence Code 05-01: "Conduct causing serious injury".</p>

8. Attached to the Notice of Charge were the following supporting documents that FNSW tendered in its case:

- ANNEXURE A:** Video footage of the subject incident in the Match.
- ANNEXURE B:** X-ray image of Mr Hickman's fractured left clavicle dated 4 May 2024.
- ANNEXURE C:** St George Hospital discharge referral and medical imaging report dated 4 May 2024 and Hornsby Hospital operation report dated 6 May 2024.
- ANNEXURE D:** Report by Dr Viktoria Leon dated 6 May 2024.

ANNEXURE E: FNSW Notice of Suspension Order dated 17 May 2024.

ANNEXURE MO1: Match Official Send Off Report by Mr Jackson Tippett dated 9 May 2024.

ANNEXURE MO2: Match Official Send Off Report by Mr Mayson Griffith dated 5 May 2024.

ANNEXURE MO3: Match Official Send Off Report by Mr Thomas Alders dated 5 May 2024.

NOTICE OF RESPONSE

9. The Respondent submitted a Notice of Response on 24 June 2024 wherein he entered a plea of not guilty to the charge laid against him; requested the Match Officials to attend the hearing for cross-examination; and requested any FNSW witnesses to attend the hearing for cross-examination.
10. The Respondent did not raise any jurisdictional issues.
11. Attached to the Notice of Response was a statement submitted by the Respondent on 24 June 2024.
12. The matter was referred to the GPT for hearing.
13. On 28 June 2024, the Respondent submitted an amended Notice of Response wherein he stated that he would accept one of the alternative charges but did not identify those charges in the Notice of Response. At the hearing, the Respondent stated that the latter statement on the amended Notice of Response was an error on his part and that he maintained his not guilty plea. Further, the Respondent advised in the amended Notice of Response that he no longer required the Match Officials and any FNSW witnesses to attend the hearing for cross-examination.

THE HEARING

14. The hearing before the GPT was to take place via the Zoom audio-visual platform on 24 June 2024. However, the Respondent was granted an adjournment to enable him to properly prepare his defence to the charge.
15. The hearing before the GPT took place via the Zoom audio-visual platform on 1 July 2024.
16. Mr Michael Kantarovski, Legal & Regulatory Officer, FNSW appeared for FNSW.
17. The Respondent was self-represented and was accompanied by two support persons, namely, Mr Stephen Matthews, the managing director of St George City FA and

Mr Matt Delves, a director of Dunbar Rovers FC.

18. FNSW relied on the supporting documents attached to the Notice of Charge.
19. The Respondent gave evidence and relied on his statement dated 24 June 2024 attached to the Notice of Response. Mr Matthews and Mr Delves made submissions on the Respondent's behalf.

THE EVIDENCE

20. I will now refer to the relevant parts of the documentary and oral evidence.

Mr Jackson Tippett's evidence

21. Mr Tippett was the referee in the Match (the Referee).
22. In **ANNEXURE MO1**, the Referee reported that, in the 33rd minute of the Match, MUFC player #32 (Mr Kye Hickman) was running onto the ball located about five metres in from the sideline and about five metres from the halfway line. The Referee saw SGFA player #50 (Mr Julian Dal Bianco, the Respondent) run from the middle of the pitch with a high amount of speed for about 20 metres toward Mr Hickman. Mr Dal Bianco charged Mr Hickman with excessive force, endangering his safety.
23. The Referee observed that the Respondent had his arm slightly outstretched and it made contact with Mr Hickman's rib area. Mr Hickman impacted the ground with his shoulder and fractured his collarbone. The Referee stopped the Match and called on the MUFC medical staff.
24. The Referee consulted Assistant Referee 1, Mr Thomas Aalders, and issued a Red Card to the Respondent for Serious Foul Play. The Respondent left the field of play without any issue. Play was suspended awaiting the arrival of an ambulance. The Match was eventually abandoned.

Mr Mayson Griffith's evidence

25. Mr Griffith was Assistant Referee 2 in the Match (AR2).
26. In **ANNEXURE MO2**, AR2 reported that, in the 33rd minute, the Respondent ran from roughly 20 metres with considerable pace and high intensity, starting from 15 metres outside the penalty area and running in on an angle, and charged Mr Hickman with excessive force. The incident occurred roughly five metres in from the sideline and five metres into the defensive half of SGFC in front of the technical areas. AR2 stated that he was roughly 50 metres away from the incident when it occurred on Assistant Referee 1's side of the field.

Mr Thomas Aalders' evidence

27. Mr Aalders was Assistant Referee 1 in the Match (AR1).
28. In **ANNEXURE MO2**, AR1 reported that the incident occurred around halfway and five metres in-field. AR1 was about 15 metres from the incident. In about the 33rd minute of the Match, Mr Hickey and the Respondent were challenging for a ball near the sideline. Mr Hickman got to the ball first and was then met with a solid tackle by the Respondent, who was second to the collision zone. After discussing the matter with the Referee, it was deemed that the Respondent had lined up Mr Hickey. Although the challenge was not significantly late, it was the Respondent's fault and he had taken the risk to run in with such force from a distance away. The Respondent was sent off. Play was suspended and later, the Match was abandoned.

Video footage of the subject incident in the Match

29. **ANNEXURE A** consisted of a 30 second video clip of the lead-up to the subject incident, the incident and its aftermath.
30. The GPT noted that the subject incident took place on the sideline opposite to where the video camera was located and therefore, was quite some distance away from the incident.

X-ray image of the injury to Mr Hickman

31. **Annexure B** consisted of an X-ray image of Mr Hickman's fractured left clavicle.

St George Hospital discharge referral

32. Part of **ANNEXURE C** consisted of the St George Hospital discharge referral and medical imaging report dated 4 May 2024.
33. The discharge referral noted that Mr Hickman was conveyed by ambulance to the emergency department on 4 May 2024 following a tackle whilst playing football where he landed on his left shoulder, suffered immediate pain and was unable to move his arm. On examination, it was observed that there was a left shoulder closed injury with mild deformity to the mid clavicle. Mr Hickman was mildly tender over the left trapezium and tender over the mid clavicle. The diagnosis was one of a closed fracture of the left clavicle. Mr Hickman was discharged on the same day after being prescribed analgesic medication (Panadeine Forte and Nurofen) and advised to consult his general practitioner for referral to an orthopaedic surgeon.
34. Mr Hickman underwent a plain X-ray of his left clavicle at St George Hospital on 4 May 2024 by Dr Stuart Wade, radiologist. Dr Wade reported that there was a

comminuted moderately displaced fracture of the left mid clavicle. In particular, there was 17mm of inferior displacement of the distal fragment with 27mm of override. At the fracture site, there was a vertically orientated fracture fragment measuring 21mm in length on the straight anterior-posterior projection.

Hornsby Hospital operation report

35. The other part of **ANNEXURE C** consisted of the Hornsby Hospital operation report dated 6 May 2024.
36. The operation report described the surgical procedure performed on Mr Hickman on 6 May 2024 as a left clavicle open reduction and internal fixation.
37. The surgical procedure was performed by Dr Viktoria Leon.
38. The operation report described the surgical process adopted.

Report by Dr Viktoria Leon

39. **ANNEXURE D** consisted of a report by Dr Viktoria Leon dated 6 May 2024.
40. Dr Leon reported that Mr Hickman had sustained a left-sided, comminuted mid shaft clavicle fracture from a football injury on 4 May 2024. She opined that, given the fracture morphology, it was likely the result of a high-energy injury.
41. Dr Leon stated that Mr Hickman underwent surgery on 6 May 2024 at Hornsby Ku-Ring-Gai Hospital where his left clavicle fracture was reduced and plated.
42. Dr Leon opined that Mr Hickman's injury would take 10 to 12 weeks to heal. Initially, he would be in a sling and limited in his lifting and pulling. When pain allows, he will be able to resume typing and activities below shoulder height that do not load the arm. He will undergo an X-ray at the two-week and five-week marks to assess fracture position and progression to union.
43. Dr Leon opined that Mr Hickman would be unable to play sport for 10 to 12 weeks whilst his fracture heals. He could return to low impact activities when pain allows. He may require removal of the clavicle plate in the future.

FNSW Notice of Suspension Order

44. **ANNEXURE E** consisted of the FNSW Notice of Suspension Order dated 17 May 2024.
45. The FNSW Notice of Suspension Order was addressed to the Managing Director of SGFC and placed an Interim Suspension Order on the Respondent suspending him from playing all football forthwith until advised otherwise by FNSW.

Mr Julian Dal Bianco's evidence

46. In the Respondent's statement submitted on 24 June 2024, he sought to clarify the events in the Match from his perspective and provide context for his actions.

47. The Respondent stated that, at the relevant time during the Match his team, SGFA, lost possession of the ball. He observed Mr Hickman making a break towards the SGFA goal. The Respondent stated:

“My immediate priority was to prevent a potential scoring opportunity and protect my team's defensive position. I approached the situation with no intention whatsoever of causing any harm to Mr Hickman.”

48. In respect of the video footage of the incident, the Respondent observed as follows:

“As the video footage shows, Mr Hickman took a large touch on the ball and looked in my direction before initiating the tackle. Additionally, the video clearly demonstrates that I won the ball first before Mr Hickman charged into me. This indicates that he was aware of my presence and that my challenge was aimed at the ball, not at causing injury. My approach was a standard defensive maneuver,[sic; manoeuvre] aimed at challenging for the ball, which is a common and legitimate aspect of the game.”

49. The Respondent then went on to opine:

“The referee initially appeared uncertain about issuing a red card for the incident. It was only after consulting with his sideline assistants [sic] that the decision was made. This further demonstrates the ambiguity and complexity of the situation. The video evidence clearly shows that my intention was not to injure Mr Hickman, but rather to execute a fair challenge to regain possession for my team. Unfortunately, it appears that Mr. Hickman came off worse in the encounter.”

50. The Respondent then concluded by expressing his deep regret in respect of the injury sustained by Mr Hickman, wished him a swift recovery and added:

“However, I firmly believe that my actions were within the bounds of fair play, and there was no malicious intent on my part.”

51. The Respondent's oral evidence at the hearing may be summarised as follows:

(a) Just prior to the collision, Mr Hickman had taken a slightly big touch on the ball.

(b) The Respondent's only intention was to get the ball and not let it get past

him.

- (c) The Respondent got to the ball first.
- (d) Mr Hickman looked up at the Respondent and raised his arm prior to the collision.
- (e) The Respondent strongly believed that there was no excessive force used on his part in the collision.

SUBMISSIONS

FNSW's submissions

- 52. FNSW submissions are summarised below.
- 53. FNSW submitted that, on the evidence, the charge against the Respondent had been made out.
- 54. The contemporaneous evidence of the Referee and Assistant Referees was persuasive, as was the video evidence.
- 55. The Respondent's use of force exceeded what was necessary.
- 56. The Respondent's intent was irrelevant to the charge.
- 57. The nature of the challenge lead to the outcome.

The respondent's submissions

- 58. The Respondent relied on his statement and his expansion of the same in his oral evidence and permitted Mr Matthews and Mr Delves to make submissions on his behalf and those submissions are summarised below.
- 59. Mr Matthews' submissions may be summarised as follows:
 - (a) The video evidence did not support the charge.
 - (b) Based on the video footage, the Respondent won the ball.
 - (c) Mr Hickman did not get to the ball first.
 - (d) The Respondent was running on a sideways angle. Mr Hickman was running in a straight line.
 - (e) The Respondent made an assessment on the run and adjusted his run as he saw Mr Hickman.
 - (f) There was some excessive force in the collision and it was the ground that caused the injury to Mr Hickman. (Mr Matthews later wished to correct the

latter statement by replacing it with, “there was a significant amount of contact”.)

- (g) Mr Hickman could have slowed down.
- (h) The Respondent was charged by FNSW because of the injury to Mr Hickman.

60. Mr Delves’ submissions may be summarised as follows:

- (a) Mr Delves supported the submissions made by Mr Matthews.
- (b) The Respondent transferred from SGFA to Dunbar Rovers FC (DRFC) during the recent transfer window.
- (c) DRFC want to give the Respondent the opportunity to play first grade, being an opportunity he was unlikely to get at SGFA.
- (d) The Respondent got to the ball first and Mr Hickman came off the back side of the Respondent and landed on the ground.

CONSIDERATION AND FINDINGS

61. Section 13.16 of the Regulations states that, unless the circumstances of the matter require otherwise, the GPT must make a determination on the balance of probabilities.

62. The Respondent plays football at a high level and as such, it is expected that he have a solid understanding of the Laws of The Game (LOTG).

63. The Respondent has been charged under Schedule 3, Table A – Red Card Offence R1 – Serious Foul Play, Offence Code 05-01: “Conduct causing serious injury”.

64. The LOTG 2024/2025 contains a list of football terms. Serious Foul Play is defined as follows:

“A tackle or challenge for the ball that endangers the safety of an opponent or uses excessive force or brutality; punishable by a sending-off (red card).”¹

65. Law 12 of the LOTG 2024/2025 refers to “Fouls and Misconduct” and includes a definition of “excessive force” as follows:

“Using excessive force is when a player exceeds the necessary use of force and/or endangers the safety of an opponent and must be sent off.”²

66. The extent of the injury to a player is not a factor in determining whether a foul has

¹ LOTG at page 179.

² LOTG at page 105.

been committed. One of the most relevant tests is whether the tackle endangers the safety of an opponent and not the injury itself.

67. The subject incident took place on the sideline opposite to where the video camera was located and therefore, was quite some distance away from the incident.
68. The Respondent, Mr Matthews and Mr Delves emphasised that the Respondent got to the ball first. However, the GPT finds that the video evidence at about the point of the collision was unclear in this regard, despite having replayed the collision in slow motion a number of times.
69. In any event, the GPT finds that, whether the Respondent played the ball in whole or in part first, does not absolve him of having committed a foul if he is found to have used excessive force in the challenge and/or endangered the safety of an opponent.
70. All too often players, coaches and spectators alike misunderstand the LOTG and claim that no foul is committed if a player plays the ball first. In order for a tackle or challenge to be considered a foul, it must be careless, reckless or, in this case, using excessive force.³ This means that, regardless of whether the Respondent got to the entire ball or a part of the ball first, he may still commit a foul at or about the time of the challenge. Tackling or challenging an opponent to gain possession is legal under the LOTG. However, the tackle or challenge must also be fair regardless of whether contact was made with the ball. Players do not have the right to endanger an opponent when challenging for the ball or commit a foul.
71. The Referee's evidence was that the Respondent ran from the middle of the pitch with a high amount of speed for about 20 metres towards Mr Hickman and then charged Mr Hickman with excessive force, endangering his safety. Contact was made with Mr Hickman's rib area and caused him to impact the ground with his shoulder and fracture his collarbone.
72. AR2's evidence was that the Respondent ran from roughly 20 metres with considerable pace and high intensity and charged Mr Hickman with excessive force.
73. AR1's evidence was that the incident occurred around halfway and five metres in-field when Mr Hickman and the Respondent were challenging for a ball near the sideline. Mr Hickman got to the ball first and was then met with a solid tackle by the Respondent, who was second to the collision zone. AR1 was about 15 metres from the incident.

³ LOTG Rule 12 at page 105.

74. The video evidence corroborated the evidence of the match officials in respect of the Respondent running into Mr Hickman at high speed and with excessive force.
75. The opinion of Dr Leon that the fracture morphology indicated that it was likely the result of a high-energy injury, was consistent with the evidence of the Match Officials and the video evidence.
76. The GPT prefers the evidence of the Match Officials over that of the Respondent and his interpretation (and that of Mr Matthews and Mr Delves) of the video evidence. Two of the three Match Officials were within reasonably close proximity to the incident in real time and were in the best position to observe it.
77. On the balance of probabilities, the GPT finds that, in the subject incident, the Respondent ran towards Mr Hickman at high speed, challenged for the ball and made contact with Mr Hickman using excessive force, being such that it exceeded the necessary use of force and endangered the safety of his opponent, causing the latter to fall heavily to the ground and sustain a left-sided, comminuted mid shaft clavicle fracture that required surgery by way of an open reduction and internal fixation.
78. Accordingly, the GPT finds that the actions of the Respondent constituted an offence under Schedule 3, Table A – Red Card Offence R1 – Serious Foul Play, Offence Code 05-01: “Conduct causing serious injury”.

SUBMISSIONS ON SANCTION

FNSW

79. Prior to the hearing FNSW provided the Respondent and the GPT with copies of precedents in previous GPT determinations pertaining to Serious Foul Play, which it submitted were relevant when considering sanctions in this matter. Copies of the determinations provided were in the following matters:
 - (a) GPT 20-04;
 - (b) GPT 20-07;
 - (c) GPT 22-01;
 - (d) GPT 22-02;
 - (e) GPT 23-08, and
 - (f) GPT 23-26.
80. FNSW provided a brief summary of the outcomes in the above matters.
81. FNSW provided the GPT with the Respondent’s tribunal history.

82. FNSW submitted that the Respondent is not entitled to a discount in sanction because he maintained a not guilty plea and had “not a good” disciplinary record as set out in the Respondent’s tribunal history.
83. FNSW conceded that the Respondent had demonstrated that he was genuinely remorseful and contrite.
84. FNSW submitted that the appropriate sanction would be a twelve (12) to fifteen (15) Fixture suspension.
85. FNSW confirmed that the Respondent had already served a nine (9) Fixture suspension since the issue of the Interim Suspension Order dated 17 May 2024.

The Respondent

86. The Respondent sought leniency due to the circumstances involved.
87. The Respondent repeated that he was remorseful and sorry for Mr Hickman.
88. Mr Matthews stated, to his credit, that it was he who encouraged the Respondent to enter a not guilty plea. He submitted that the video evidence was sufficient to justify the not guilty plea and the Respondent should not be penalised in this regard. He also submitted that this case differed from the “studs-up” precedent and therefore, a sanction of thirteen (13) to fifteen (15) Fixtures would be excessive.
89. Mr Delves also submitted that this case ought to be distinguished from the “studs-up” precedent. He submitted that the appropriate penalty would be one of “time served”.

SANCTION

90. The GPT took into consideration the Respondent’s tribunal history which covered the period 11 March 2017 to 4 May 2024 in FNSW NPL Youth and FNSW NPL Men’s at high levels. Twenty of the entries in the Respondent’s tribunal history related to Yellow Card Offences. Excluding the incident on 4 May 2024, five entries related to Red Card Offences. The Red Card Offences included R1, R2, R5 and R7 Offences.
91. **Charge 1** carries a minimum sanction for a first Offence of a Mandatory Match Suspension plus six (6) Fixtures and a maximum sanction of 24 months.
92. The GPT carefully considered the parties’ submissions on sanction and formed the view that the nature of the Respondent’s Serious Foul Play warranted more than the minimum sentence or “time served”, the latter being nine (9) Fixtures. The GPT also formed the view that the subject incident could be distinguished from the “studs-up” precedent put forward by FNSW.

93. Accordingly, the GPT finds that the appropriate sanction in the circumstances of this case is that the Respondent serve a twelve (12) Fixture suspension, nine (9) of which, it was agreed by the parties, have already been served to date following the issue of the Interim Suspension Order dated 17 May 2024.
94. The Respondent must, therefore, serve the remaining three (3) Fixture suspension.
95. Section 15.6 of the Regulations sets out the prohibitions placed on a Participant subject to a Fixture suspension. The GPT has determined that the suspension will NOT extend to attending training or attending to spectate at any fixtures in which the Respondent's club participates during the suspension, albeit that he may not enter the Field of Play, the Technical Area, players' dressing rooms or any other place within a venue on a match day where players, coaches or officials are likely to assemble to prepare for a match.

COSTS

96. The GPT determined that the Respondent pay the costs of the GPT process as assessed by FNSW.

APPEAL PROVISIONS

97. Aggrieved parties to a determination of the FNSW GPT may lodge an appeal to the FNSW Appeals Tribunal in accordance with sections 9.8 and 10 of the Football NSW Grievance and Disciplinary Regulations 2024. Any appeal must be submitted by completing the online Notice of Appeal form (Prescribed Form 12) to tribunal@footballnsw.com.au with the relevant Application Fee within seven (7) working days of the issue of the Final Determination to the Respondent.
98. The FNSW Appeals Tribunal may vary, by way of reduction or increase, any sanction, measure or order imposed by the FNSW GPT without the necessity to provide any prior notice to any party to the appeal of its intention to do so.



Anthony Scarcella
Hearing Chair