

**GENERAL PURPOSES TRIBUNAL  
OF FOOTBALL NEW SOUTH WALES  
FINAL DETERMINATION  
IN THE FOLLOWING MATTER:**

**GPT 15/44**

Respondent	Mr Ali Sabra
Attendees	Mr Sam Hassan, Club President Mr Hassan Mansour, Team Manager  Mr Lorenzo Crepaldi, Legal Counsel FNSW Mr Shane Merry, Disciplinary Coordinator FNSW
The basis upon which the matter is before the General Purposes Tribunal	Grievance and Disciplinary Regulations Sections 8.2 and 15.3
Key Words/Phrases	Falsification of Team Sheet, Use of suspended/ineligible Players,, Social Media Comment
Date of Hearing	15 December 2015
Date of Final Determination	13 January 2016
General Purposes Tribunal Members	Mr Chris Gardiner (Chair) Mr David Lewis Ms Courtney McLean

## **A. INTRODUCTION**

1. Football NSW has established this General Purposes Tribunal pursuant to Section 5 of the Football NSW Grievance and Disciplinary Regulations 2014 ("Regulations").
2. A General Purposes Tribunal (GPT) is responsible for hearing and determining:
  - 2.1. Breaches of Misconduct and Disrepute as set out in Section 8.2 of the Regulations;
  - 2.2. Grievances between Members as set out in Section 8.3 of the Regulations;
  - 2.3. Matters referred by Football NSW's Disciplinary Committee as set out in Section 8.4 of the Regulations;
  - 2.4. Any other matter Football NSW considers important to the interests of football in the State, at its absolute discretion, as set out in Section 8.1 (a) (iii).
3. The GPT makes determinations as set out in Section 8.5 of the Regulations.

## **B. NOTICE OF CHARGES**

4. Football NSW issued a Notice of Charges against the Respondent dated 27 November 2015, alleging:
  - CHARGE 1:** breaches of Sections 2.1 and 2.2(g) of the FFA Code of Conduct and/or Section 15.3 (b) and/or (e) of the Football NSW Regulations.
  - CHARGE 2:** breaches of Sections 3.2(b)(ii), (c), and (d) of the Football NSW Competition Regulations and Sections 15.3 (d) and/or (e) of the Football NSW Regulations.
  - CHARGE 3:** breaches of Sections 2.1 and 2.2(g) of the FFA Code of Conduct and/or Section 15.3 (b) and/or (e) of the Football NSW Regulations.
  - CHARGE 4:** breaches of Sections 3.2(b)(ii), (c), and (d) of the Football NSW Competition Regulations and Sections 15.3 (d) and/or (e) of the Football NSW Regulations.
  - CHARGE 5:** breaches of Sections 2.1, 2.2(c), (d), and/or (k) of the FFA Code of Conduct and/or Sections 15.3(b), (d) Schedule 3 Table C Number 3 and/or 6, (e), (f), (g) and/or (h) of the Football NSW Competition Regulations.
  - CHARGE 6:** breaches of Sections 2.1, 2.2(c), (d), and/or (k) of the FFA Code of Conduct and/or Sections 15.3(b), (d) Schedule 3 Table C Number 3 and/or 6, (e), (f), (g) and/or (h) of the Football NSW Regulations.
  - CHARGE 7:** breaches of Sections 2.1, 2.2(c) and/or (f) of the FFA Code of Conduct and/or Sections 15.3 (b), (d), (e), (g) and/or (h), and/or 17.(a), (b)(i), (ii) and/or (iii) of the Football NSW Regulations
5. The conduct alleged in the Notice of Charges for the Respondent was as follows:
  - CHARGE 1:** *On 27 September 2015, the Participant (Ali Sabre) was the Coach of the Arncliffe Aurora Football Club (Club) U16 team who played in Round 3 of the U/16 Football NSW Champion of Champions Tournament Match against Pendle Hill Football Club. During this Match, the Club played a Player (X) under a false name (Y). As the Coach of the team, the Participant was responsible for ensuring that the Team Sheet was correctly completed.*

**CHARGE 2:** *During the Match, the Club played an ineligible Player (X). At the relevant time, X was subject to a three Fixture suspension imposed by St George Football Association on 22 August 2015 and had one Fixture remaining to be served. As the Coach of the team, the Participant was responsible for ensuring that the team fielded eligible Players.*

**CHARGE 3:** *During the Match, the Club played a Player (Z) under a false name (A). As the Coach of the team, the Participant was responsible for ensuring that the Team Sheet was correctly completed.*

**CHARGE 4:** *During the Match, the Club played an ineligible Player (Z). At the relevant time, Z was subject to a one Fixture suspension imposed by Football NSW on 20 September 2015 for an R6 offence. As the Coach of the team, the Participant was responsible for ensuring that the team fielded eligible Players.*

**CHARGE 5:** *At the conclusion of the Match, Players from the Club were involved in a melee. As the Coach of the team, the Participant failed to provide a safe environment for Participants or to maintain public order at a Match*

**CHARGE 6:** *After the fight had finished the Participant said to members of the Pendle Hill Football Club, "I'll come back with a hundred more people".*

**CHARGE 7:** *On the day after the match, the Participant used the Sydney Morning Herald Facebook page to publish the following comment: "Maybe Football NSW should ensure they have referees that have a clue about the rules then maybe such actions won't occur. Not stating that actions were right but it's extremely frustrating (sic) being on the receiving end of 2 red cards and a penalty and one way decisions and with players unable to let frustrations (sic) out on ref, they tend to find opposition an easy target".*

6. The Respondent pleaded guilty to Charges 1-4 and 7, and Not Guilty to Charges 5 and 6, at the Hearing.

### **C. DECISIONS OF THE GPT**

7. In relation to Charges regarding team members playing whilst suspended and under false names, the Tribunal determined that Mr Ali Sabra be suspended from football and futsal team officiating (coaching, managing, training) until 31 December 2016.
8. In relation to the Charge regarding inappropriate comment on social media, the Tribunal determined that Mr Ali Sabra be suspended from football and futsal team officiating (coaching, managing, training) for four (4) fixtures, the suspension to be served concurrently with the suspension relating to other Charges.

### **D. THE HEARING**

9. The Hearing was held at Football NSW on 15 December 2015.
10. The Respondent was provided an opportunity to make submissions on the competence and/or jurisdiction of the Tribunal. No submissions were made.

11. The Respondent was cautioned with regard to the accuracy and honesty of any testimony provided.
12. The Respondent was advised of his right to appeal any determination of the Tribunal.

#### **E. EVIDENCE & SUBMISSIONS**

13. The Tribunal accepted and relied on Annexures 1 and A-Z submitted by Football NSW for this and related GPT 14-44 matters, and detailed in the Notice of Charges.
14. Mr Sabra admitted Charges 1 to 4 and expressed his regret and remorse for his actions which were, he submitted, misguided by his desire to ensure that his players were afforded an opportunity to play and play competitively in the most important fixture of their year.
15. Mr Sabra did not admit guilt for Charge 5, submitting that the incident after the game had not been reasonably foreseeable and that he had reacted responsibly and immediately to manage the incident.
16. Mr Sabra did not admit guilt to Charge 6, submitting that comments he had made in the incident had been misheard and/or misconstrued and that his actions and comments had been reflective of his efforts to prevent escalation of the situation.
17. Mr Sabra admitted Charge 7, expressed regret for the social media comment, and submitted that he had not intended to justify past or future misconduct in the game.

#### **F. CONSIDERATION & COMMENT**

18. The Tribunal noted Mr Sabra's admissions of guilt.
19. The Tribunal found Mr Sabra to be honest and courageous in his admissions and his acceptance of responsibility in the matters before the Tribunal.
20. The Tribunal also accepted that he was committed to working with and promoting the development of the young men involved in his Club.
21. Mr Sabra's evidence to the Tribunal was that he wanted, through coaching, to guide young men in their development and be a role model to them.
22. In relation to the first four charges, Mr Sabra had knowingly fielded two Players who were suspended, and entered false names to cover that action.
23. Mr Sabra had said he did so because he feared his team might not get to compete in their Champion of Champions fixture after all the effort they had given during the year. Unfortunately, he sought to honour the commitment and efforts of his players by dishonouring the sport itself. As a result, not only did he involve Players and his Club in a breach of the rules, he exhibited a negative example to the Players about sportsmanship and disconfirmed the broader civic values to which he said he was committed.
24. Playing suspended players and entering false identities on a match sheet constitutes serious misconduct and warrants a strong sanction.
25. Joining Charges 1 to 4, the Tribunal found that Mr Sabra was guilty of breaching Section 2.2(g) of the FFA Code of Conduct and, so, Section 2.1 of that Code; guilty of a breach and liable under Sections 3.2(b)(ii), (c), and (d) of FNSW Competition Regulations; and, so, guilty of a breach of Section

- 15.3(b) and (d) of FNSW Regulations; and, so, guilty of unprofessional and unsportsmanlike behaviour under Section 15.3(e) of FNSW Regulations.
26. The Tribunal determined that an appropriate sanction was that Mr Sabra be suspended from football and futsal team officiating (coaching, managing, training) until 31 December 2016.
  27. The Tribunal had before it significant evidence of a violent incident involving Players in the team Mr Sabra was coaching at the Champion of Champions event.
  28. Mr Sabra's evidence was that the game had ended as others usually did with no indication of the violence that was to follow. He had moved from the players shaking hands to pick up his gear with a view to leaving the venue and heading to scheduled overseas travel. When the violence broke out, he immediately responded by moving to the melee and controlling key players. Photographic evidence before the Tribunal corroborated his presence amongst his players.
  29. The Tribunal accepted his evidence with regard to Charge 5 and found him not guilty.
  30. The Tribunal notes, however, concerns about the extent to which risk had been managed for this team and its supporters, and the extent to which the Club had properly trained the Coach and Team Officials, concerns addressed in determinations made on Charges against the Club in another part of the Tribunal process.
  31. With regard to Charge 6, Mr Sabra provided an alternative explanation of the words that had been particularised. He stated that he was in fact, not making a threat but seeking to defuse the situation and prevent escalation by noting how continued unhelpful behaviour might lead to the joining of many others in the incident.
  32. No witness was available to test Mr Sabra's response relating to Charge 6, and given the Tribunal accepted his honesty and character in testimony on the night, the Tribunal found Mr Sabra not guilty of Charge 6.
  33. Mr Sabra did not challenge the transcript of social media comment he made about the game and incident, as particularised in Charge 7.
  34. Mr Sabra expressed regret at having made the comments.
  35. Mr Sabra submitted that he had clearly indicated in the statement that he was not condoning misconduct and was only giving expression to frustration that was understandable in the context of decisions by officials in the game.
  36. The Tribunal found that the social media comments insulted the Match Officials involved in the game.
  37. The Tribunal found that, notwithstanding his intention, the statements made by Mr Sabra could lead others to think or feel they were justified to act on disagreements or frustrations they had with refereeing decisions.
  38. Team Officials have Code of Conduct obligations regarding behaviour by word or action towards referees, and obligations with regard to public comment under Football NSW Regulations. Adult coaches must provide an example to young players in the discharge of those obligations. The Tribunal found that Mr Sabra breached these obligations in making the comments he did on social media after and regarding the match and decisions made by Match Officials in the match.

39. The Tribunal found Mr Sabra guilty of a breach of Section 2.2(f) of the FFA Code of Conduct and Section 17(a) and (b)(i), (ii) and (iii) of FNSW Regulations.
40. The Tribunal noted that this was the first such breach of the rules and regulations relating to social media comment by Mr Sabra, and that the language used had been restrained.
41. The Tribunal determined that an appropriate sanction for its determination against Mr Ali Sabra under Charge 7 was a suspension from football activities for one month, such suspension to be served concurrently with another suspension imposed by the Tribunal.
42. The Tribunal determined that the costs of the Tribunal processes relating to Mr Sabra's matters, as assessed by Football NSW, be met by his Club, for reasons fully outlined in the Determination of GPT14-44 Charges against the Club.

**Chris Gardiner**  
**Chairman**  
**6 January 2015**