

## GPT NOTICE OF DETERMINATION

Proceeding under section 8.5 of the  
FNSW Grievance and Disciplinary Regulations



### Proceeding Details:

<b>Tribunal reference</b>	MGPT 16-24
<b>Date of hearing</b>	2 June 2016
<b>Time of hearing</b>	8.00 p.m.
<b>Venue of hearing</b>	FNSW
<b>Tribunal Member(s)</b>	Louis FAYD'HERBE
<b>Respondent</b>	Frank BARBARO (FFA: 77824068)
<b>Fixture</b>	U16's National Premier League Tier 1 Youth (NPLT 1 Yth) Parramatta FC v Sydney FC on 21 May 2016 at Melita Stadium, South Granville

***This Notice constitutes the General Purposes Tribunal's Determination resulting from the Tribunal hearing listed above.***

### Charge(s) and Determination(s):

<b>Charge(s)</b>	<b>Tribunal determination</b>
<p>1. The Respondent (Frank Barbaro) used offensive, insulting or abusive language and/or gestures towards or about a Match Official in breach of section 15.4(d), Schedule 3, Table B, Number 1 of the FNSW Grievance and Disciplinary Regulations (<b>Regulations</b>).</p>	<p>1. <u>Plea</u>: Not Guilty. <u>Finding</u>: Guilty  <u>Determination</u>: Three (3) fixtures suspension (MMS + 2 Fixtures).  <u>Reasons</u>: <i>The GPT found there was sufficient evidence to show that the Respondent Frank Barbaro approached the match officials in an aggressive manner questioning their authority at the conclusion of the U/15's match and said to them "this is the 2<sup>nd</sup> week that you haven't let stuff go. You cannot do that. You have let them have hundreds of subs, you cheats". This decision is based on the evidence from the match officials and confirmation of same during the hearing. The Respondent is suspended for three (3) Fixtures for the offence under Charge 1 from all Football related activities including spectating.</i></p>
<p>2. The Respondent (Frank Barbaro) having been expelled from the Field of Play failed to follow any reasonable direction of an Official or Football NSW employee or representative in relation to</p>	<p>2. <u>Plea</u>: Not Guilty. <u>Finding</u>: Guilty.  <u>Determination</u>: 2 Fixtures  <u>Reasons</u>: <i>The GPT was unable to find in favour of the Respondent. Reports which submitted by the Match officials were further substantiated at the</i></p>

<p>conduct and/or behavior at a Match and is in breach of Section 15.4(d), Schedule 3: Table C, Number 8 of the FNSW Grievance and Disciplinary Regulations (<b>Regulations</b>).</p>	<p><i>hearing.</i></p> <p><i>The Respondent Frank Barbaro is suspended for two (2) fixtures for the offence under Charge 2.</i></p> <p><i>The GPT applied a discount of 1 fixture due the Respondent having already served the mandatory 1 fixture suspension.</i></p> <p><i>The Respondent is therefore suspended for a total of four (4) fixtures for the charged offences from all Football activities including spectating.</i></p>
<p><b>Costs:</b></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.

**3 June 2016**  
 Louis Fayd'herbe  
 Member  
**GENERAL PURPOSES TRIBUNAL**