

## DISCIPLINARY COMMITTEE OF THE FOOTBALL FEDERATION OF AUSTRALIA

### DETERMINATION IN THE FOLLOWING MATTER:

<b>Player and club</b>	Connor Chapman, Melbourne City FC
<b>Alleged offence</b>	Unsporting conduct towards a match official
<b>Date of alleged offence</b>	11 March 2015
<b>Occasion of alleged offence</b>	Match between Melbourne City FC and Western Sydney Wanderers FC
<b>Date of Disciplinary Notice</b>	12 March 2015
<b>Basis the matter is before the Disciplinary Committee</b>	A referral: see clause 3.3(a) and 9.31(b)
<b>Date of Hearing</b>	Wednesday, 18 March 2015
<b>Date of Determination</b>	Thursday, 19 March 2015
<b>Disciplinary Committee Members</b>	John Marshall SC, Chair Anthony Lo Surdo SC David Barrett

#### **A. OBSERVATION**

1. This case involves a player making intentional contact with a referee. In 2009 when delivering the determination in the matter of Van Den Brink, the Committee made this observation:

26 This Committee hopes that this determination will set a clear precedent against intentional contact with a referee and that such conduct will be henceforth stamped out.
2. The FFA has made these points several times now:
  - (1) Players who touch or seek to verbally or physically intimidate a match official should be issued a straight red card.
  - (2) Poor behaviour when broadcast live on television has the capacity to attract negative sentiment towards the game.
  - (3) As the highest level of football in Australia/New Zealand, the Hyundai A-League must set the standard for all other grades and be an example for aspiring players.
3. The Committee is of the view that the message has been consistent and clear. It is well understood by the media. That was demonstrated by the live and subsequent commentary in relation to this particular incident, which perhaps was best summed up by one expert commentator: *it's quite simple really; you just can't do that.*

4. Indeed the player himself recognised what he had done and has subsequently apologised to the referee.

## **B. JURISDICTION**

5. The Committee has jurisdiction under clause 4.4 of the "FFA A-League Disciplinary Regulations" applicable to the 2014-2015 A-League season (**the Disciplinary Regulations**) to determine matters which have been referred to it pursuant to the Disciplinary Regulations. When a matter is duly referred, clause 3.3(a) provides that the Committee must determine the matter and impose such sanctions as are authorised and appropriate to the determination.
6. In this matter there has been a referral under clause 9.31(b) of the Disciplinary Regulations. Prior to a referral under clause 9.31(b) the player will have been given a direct red card by the referee. The consequence is that the player will have an automatic Mandatory Match Suspension (in this case 1 match). No part of the above process is able to be referred to the Committee and hence cannot be appealed. Further, given that a category 2 offence is involved, the Match Review Panel (**the MRP**) will have referred the matter directly to the Committee. That is what has happened here.
7. The FFA issued a Disciplinary Notice to Connor Chapman on 12.03.2015 in accordance with clause 9.31(b). The Disciplinary Notice set out the details of the alleged offence (being "Unsporting conduct towards a match official") and referred the matter to the Committee.

## **C. THE HEARING**

8. On the evening of Wednesday 18.03.2015 the Committee heard the referral of the above matter. At the conclusion of the hearing (following deliberations and pursuant to clause 20.4 of the Disciplinary Regulations) the Committee verbally announced the result of the hearing. These are the written reasons of the Committee in the "*shortest form reasonably practicable*" (see clause 20.3(c)).
9. At the hearing Disciplinary Counsel was D McLure and Connor Chapman (**the player**) was represented by D Villa.

## **D. FACTS**

### *(1) Overview*

10. In around the 82<sup>nd</sup> minute of the game, a Western Sydney Wanderers player attempted a tackle on the player. The attempted tackle resulted in some contact between the two players. The player lost possession of the ball but possession was regained by another Melbourne player who proceeded to move the ball up the field. As the ball was being moved up the field by his teammates, the player approached the referee and made contact with the referee. The referee showed the player a red card on the basis of "violent conduct" which is a sending off offence under Law 12 of the Laws of the Game and is referred to as R2 in clause 6.2 of the Disciplinary Regulations.
11. The Referee's Incident Report dated 11.03.2015 describes the incident as follows:

In the 82nd minute of the game a WSW player jumped in with a sliding tackle. Melbourne regained possession of the ball and started to attack. I waited to see if the advantage was going to accrue and as I was about to signal for the

advantage, Connor Chapman No. 4 from Melbourne ran up to me and grabbed me on the arm protesting about the earlier incident. I immediately stopped play and showed him the red card for violent conduct. He immediately left the field without any further incident.

12. The MRP Disciplinary Notice, as noted above, dealt with the offence on the basis that it fell within row 10 of the Table of Offences. The Committee notes that the referee's incident report describes the player's offence as "violent conduct", which might have indicated row 11 of the Table of Offences was engaged. However, the MRP has categorised the offence as "Unsporting conduct toward a match official", which means that, in their opinion, row 10 (and not row 11) has been engaged. That appears to have been a deliberate downgrading by the MRP.
13. The Committee has had the benefit of seeing the incident from several different angles of footage from Fox Sports. Some of these angles provide only a partial record of the incident. Many of the angles are quite zoomed out and so the finer details of some images are somewhat blurry. In its totality, however, the footage presents a clear record of what occurred. From this footage, images have been extracted which display the following sequence of events:
  - (1) The attempted tackle by a Western Sydney Wanderers player on the player.
  - (2) The referee's response to the attempted slide tackle.
  - (3) The player's approach to the referee.
  - (4) The contact between the player and the referee.

(2) *The tackle by the Western Sydney Wanderers player*

14. The first set of images below display the tackle which led to the incident:





15. An alternate camera angle furnishes some closer images of the incident:



16. The images show that there was indeed a dangerous tackle made by the Wanderers player. There was also contact between the player's left boot and the head of the Wanderers player. This contact appears to have been unintentional on the player's part. It was brought about primarily by the Wanderers player's tackle.

(3) *The referee's response to the tackle*

17. The below image shows the referee's response to the tackle:



18. It seems the referee has started to signal for the advantage with his right arm. This signal can also be observed in another angle provided in the footage:



(4) *The player's approach to the referee*

19. It is at this point that the player makes his approach to the referee:





20. As the footage shows, the player approaches the referee with his arms spread. A different Wanderers player passes between the player and the referee at this point. This did not deter the player's approach towards the referee.

(5) *The contact between the player and the referee*

21. This series of images shows the contact between the player and the referee:





22. Though the images are slightly blurred, it can be seen in the footage that the player's right arm has grabbed, or at the least moved, the left arm of the referee.
23. Whilst moving the referee's arm, the player gestures with his left arm towards the vicinity of the tackle.
24. After receiving the red card, the player immediately leaves the field.

*(6) Conclusion on the factual matters*

25. The contact was intentional. The player ran directly towards the referee after the tackle. Furthermore, he moved right against the referee so that inevitably there

would be contact between himself and the referee and then he deliberately moved the arm of the referee.

26. The contact was sufficient to require the referee to adjust his course of motion to compensate for the contact.
27. The contact was not fleeting in nature. The player moved the referee's arm with a clear intention to protest the tackle made against him by the Wanderers player. The contact would have continued had the referee not extricated himself from the contact at the first instance.
28. The player provided a written statement and gave oral evidence at the hearing. From his evidence it was apparent that he decided to approach the referee to make a complaint about the tackle. He told the Committee that 3 or 4 minutes earlier, the referee had given a "soft" penalty against him and he was not happy with that decision (as well). The player disputed that the contact with the referee was intentional. Based upon the footage and the referee's incident report, we have made the findings above which are inconsistent with the contact being accidental.

#### **E. SUBMISSIONS**

29. The matters submitted by Disciplinary Counsel included:
  - (1) The Table of Offences at page 33 of the Disciplinary Regulations specifies the minimum sanction to be 3 additional matches plus the Mandatory Match Suspension.
  - (2) It was open to the Committee to downgrade the charge from row 10 to row 9 in the Table of Offences. On the facts of the case, it was submitted that we ought not do that but Disciplinary Counsel quite properly recognised that it was open to the Committee.
30. The matters submitted on behalf of the player included:
  - (1) There are numerous factual matters which should be taken into account so as to produce a sanction at the lowest end of the scale and that no additional sanction over and above the Mandatory Match Suspension is warranted:
    11. He has, subsequently, apologised to the Referee in terms that the Disciplinary Committee would regard as genuine, including an expression of regret as well as an acknowledgement of the respect and authority the referee rightly deserves. He has also offered to make a donation to charity as an expression of remorse.
    12. The Disciplinary Committee has the Player's own evidence, as well as character references from Gary van Egmond (who coached him at the AIS and Newcastle Jets) and Jan Versleijen (who coached him at the AIS and as Manager appointed the Player Captain of the Australian Under 17 World Cup Team in 2011) attesting to the hard work and dedication of the player, as well as his character and leadership qualities.
    13. The Disciplinary Committee also has the Player's disciplinary history which indicates no prior history of conduct of this kind.
  - (2) There was power to award a sanction less than the four matches (being the minimum in row 10 of the Table of Offences). In this regard, our attention was drawn to the contrast between clause 9.32(b) "*not bound by the range*"

and other clauses (9.15(b), 9.26(a) 9.28(a), 9.35(a)) which refer to “*applying the range*”.

- (3) Further, there is an overriding power to downgrade the charge implicit in clauses 11.1(d), 11.2 and 11.3.
  - (4) Therefore, there were 2 pathways by which the Committee could impose a lower sanction if it concluded the facts warranted a lower sanction.
31. No submission was made that there are Exceptional Circumstances within clause 11.3 of the Disciplinary Regulations. Counsel for the player did not submit that the evidence supported Exceptional Circumstances but in any event we do not find Exceptional Circumstances existed.

#### **F. CONSIDERATION AND FINDINGS**

##### *(1) Earlier cases involving contact with a match official*

32. On several previous occasions the Committee has made decisions on cases involving contact with a match official. In the 2013 determination in the matter of Tiago Calvano, the Committee (in paragraphs 31-41) summarised the two earlier decisions of Vukovic and Van Den Brink. It is not necessary to refer to the 2014 decision concerning Christopher May as his conduct was far more serious than that of the player in this case. As all those decisions are available on the FFA website, it is unnecessary to quote from them.
33. The Committee finds that the conduct of the player was less serious than that of Tiago Calvano and significantly less serious than that of Daniel Vukovic or Christopher May. The Committee is of the opinion that the conduct of the player in this case was more serious than that of Sebastiaan Van Den Brink.

##### *(2) Significant matters in this case*

34. The player set on a deliberate course which had the result of interfering with the referee’s conduct of the game. When a different Wanderers player came into the path of Chapman, he was not dissuaded from getting to the referee. When the referee signalled him away with his left arm, Chapman was still not dissuaded. He was determined to make his complaint notwithstanding that the referee had played advantage to his team.
35. The Committee is of the view that the conduct warrants a sanction of four matches. The Committee is also of the view that the appropriate classification of the red card is row 10 (“Unsporting conduct towards a match official”). As that coincides with the MRP charge, no occasion for downgrading arises.

##### *(3) Conclusion on legal issues*

36. The Committee accepts that there are two legal pathways by which it could, in an appropriate case, have found a sanction less than the minimum in row 10 of the Table of Offences. In this regard, the Committee accepts the legal argument advanced by counsel for the player.
37. However, given the factual findings, the outcome of that legal issue does not avail the player in this case.

**G. RESULT**

*(1) Sanction to be imposed*

38. The sanction the Committee imposes is three matches over and above the Mandatory Match Suspension.

*(2) Suspension and probationary period*

39. The Committee heard submissions as to the possibility of there being a suspended portion of the four matches under clause 12.2.

40. As indicated during the hearing, clause 12.3(a) stands in the way of that result. Counsel for the player accepted this position.

*(3) Final observation*

41. The submissions of counsel for the player, the good disciplinary record of the player and very favourable references were of assistance to the Committee and absent those matters a higher sanction likely would have been imposed.

*John Marshall*

J E Marshall SC, Disciplinary Committee Chair  
Thursday, 19 March 2015