

**DISCIPLINARY AND ETHICS COMMITTEE OF FOOTBALL AUSTRALIA
DETERMINATION IN THE FOLLOWING MATTER**

Player and Club	Momo Hayashi (Brisbane Roar FC) (ALW)
Alleged Offence	Offence No.10 Unsporting conduct toward a Match Official
Date of offence	19 April 2025
Occasion of offence	Brisbane Roar FC v Melbourne Victory FC
Date of Disciplinary notice	22 April 2025
Basis the matter is before the Disciplinary Committee	A referral: see clause 11.41 of the A-Leagues Disciplinary Regulations 2024/25
Date of Hearing	15 May 2025
Date of Determination	Verbal Determination: 15 May 2025 Written Reasons for Determination: 16 May 2025
Place of Determination	Sydney
Disciplinary Committee Members	Anthony Lo Surdo SC, Chair Ben Jones David Barrett

REASONS FOR DETERMINATION

A. INTRODUCTION & JURISDICTION

1. The Disciplinary and Ethics Committee of Football Australia (**Committee**) has jurisdiction under clause 4.4 of the A-Leagues Disciplinary Regulations applicable to the 2024/25 A-Leagues Season (**Disciplinary Regulations**) to determine a matter which has been referred to it pursuant to the Disciplinary Regulations. When a matter is duly referred, clause 3.3(a) of the Disciplinary Regulations provides that the Committee must determine the matter and impose such sanctions as are authorised and appropriate to the determination.
2. This matter comes before the Committee by way of referral under clause 11.41 of the Disciplinary Regulations from the Match Review Panel (**MRP**) which formed the view that, on the material available to it, a Category 2 Offence had been committed by player Momo Hayashi (**the Player**) from Brisbane Roar FC (**BR**) in a match between BR and Melbourne Victory FC (**MV**) on 19 April 2025 (**Match**) and for which she received a direct Red Card (**Referral**). The consequence is that the Player will serve an automatic Mandatory Match Suspension (**MMS**) for the direct Red Card received.
3. The MRP categorised the offence as category no.10 being “*Unsporting conduct toward a Match Official*”. The Range of the Table of Offences describes the Minimum Sanction as being “*3 additional matches plus the Mandatory Match Suspension*”.
4. The function of the Committee in such circumstances is solely to determine the question of whether an additional sanction should be imposed over and above the MMS, and if so, what that additional sanction should be. Guilt or innocence is not up for review. The Committee has no jurisdiction to deal with that question.
5. The Committee is satisfied that it has jurisdiction to deal with this referral. Further, neither party contended to the contrary.

B. CONDUCT OF THE PROCEEDING

6. On 24 April 2025, the Committee made directions for the preparation of the referral for determination (**Directions**). The referral was fixed for hearing on 15 May 2025 following consultation with the legal representatives for the parties.

7. Ordinarily, a referral such as this would be fixed for hearing within the week or the week after the offence and issue of the relevant disciplinary notice so that a player or other participant the subject of the referral may have their status determined expeditiously to enable them to resume their playing or other participation as soon as any sanction is served. In this case, it was not so fixed because the Player had participated in her last A-League game for the season and hence the usual urgency to have the Referral determined as expeditiously as possible did not feature as a consideration.
8. Further, neither party made an application for the Referral to be heard on any urgent or more expedited basis.
9. In accordance with the Directions, on 1 May 2025, the Committee was provided with a written outline of submissions from Disciplinary Counsel, Mr Ivan Griscti upon which Football Australia relies. Accompanying those submissions was the following evidence upon which Disciplinary Counsel relied:
 - (a) an incident report from the Referee, dated 19 April 2025 (**Incident Report**);
 - (b) a disciplinary notice, dated 22 April 2025 (**Disciplinary Notice**);
 - (c) video footage of the incident (from the host broadcaster and “tactical footage”) (**Video Footage**); and
 - (d) the Player’s disciplinary record from 2022 to date (**Player’s Disciplinary Record**).
10. In accordance with the Directions, on 8 May 2025, the Committee was provided with a written outline of submissions from Mr Simon Philips, of Counsel, upon which the Player relies. Accompanying those submissions was the following evidence upon which the Player relied:
 - (a) a written statement (unsigned) from the Player, dated 8 May 2025 (**Statement**);
 - (b) a character reference, dated 28 April 2025, from BR Head Coach, Alex Smith (**Character Reference**); and
 - (c) the Player’s Disciplinary Record.

11. On 13 May 2025, Disciplinary Counsel provided the Committee with written submissions in reply.
12. On 14 May 2025, Mr Philips provided the Committee with supplementary submissions responding to that part of Disciplinary Counsel's submissions in reply that addressed the issue of the appropriate sanction. Those submissions included a copy of the Player's Gold Coast United playing schedule upon which the Player also relied.
13. On the evening of Thursday 15 May 2025, the Committee heard the Referral by audio-visual means. Football Australia was represented by Disciplinary Counsel, Mr Ivan Griscti instructed by Mr Benjamin Young and Mr Sam Chadwick for Football Australia. The Player was represented by Mr Simon Philips, of Counsel, instructed by Ms Angela Collins of the Professional Footballers Association. The Player was in attendance with a support person. Also in attendance at the hearing was Ms Jessica Lees from Football Australia in her capacity as Administrator.
14. At the conclusion of the hearing (following deliberations and pursuant to clause 22.4 of the Disciplinary Regulations) the Committee verbally announced the result, being the MMS plus two (2) additional matches . These are the written reasons of the Committee in the "*shortest form reasonably practicable*" (see clause 22.3(c) of the Disciplinary Regulations).

C. FACTS

15. In or around the 59th minute of the game, MV Player Alana Murphy was in possession of the ball. The Player moved towards Player Murphy in an attempt to provide defence. The players made contact with one another with the Player falling to the ground. In her Statement, the Player said that she believed that she had been fouled but the play continued.
16. As play continued, the Player ran towards the Referee to protest the decision not to sanction what she had perceived to be a foul in the prior phase of play committed by MV Player Murphy. In doing so, the Player made physical contact with the Referee.
17. The Player accepts that she made physical contact with the Referee in an attempt to gain her attention over the alleged foul. The Player describes the contact as a "*light tap*" of the Referee's back/shoulder and tugging at the Referee's shirt. In the

Incident Report, the Referee described being “*struck*” to the “*right arm from behind*.” *It continued onto my middle back. It felt hard and there was enough force to make my body turn...*”

18. The Referee immediately stopped play and issued the Player with a direct Red Card. The Player did not leave the field immediately as she appeared a little confused by what has just occurred but left a few moments later after being encouraged by her team mates to do so.
19. The Video Footage of the incident is consistent with and supports the fact that the Player made impermissible physical contact with the Referee such as to warrant her immediate dismissal from the field:

Image 1: The Player moving toward the Referee.



Image 2: The Player making contact with the Referee.



D. SUBMISSIONS

20. What follows is a summary of the parties' written submissions. It does not necessarily encompass every contention put forward by the parties. To the extent that it omits any contentions, the Committee notes that it has considered all of the evidence and arguments submitted by the parties even if there is no specific reference to those submissions in the following summary.
21. The parties supplemented their written submissions orally. Those submissions were, however, directed to one specific issue, that is, whether any matches which the Player missed in another competition whilst ineligible to play pending the determination of the Referral should count towards the service of any suspension imposed by the Committee. Those submissions are summarised and addressed separately in this determination.

Disciplinary Counsel's Written Submissions in Chief

22. Disciplinary Counsel submitted, in summary, that:
- (a) in the Incident Report the Referee said that "*she [the Player] then immediately struck me to my arm from behind. It continued to my middle back. It felt hard and there was enough force to make my [the Referee] body turn*". Disciplinary Regulation 21.2 provides that "*the facts contained in a Referee's Report... are presumed to be accurate unless the contrary is established*";
 - (b) the Video Footage does not provide a clear view of the contact between the Player and the Referee. There is no obvious aggressive movement or forceful action from the Player towards the Referee. The Player's actions appear to be in the nature of seeking the Referee's attention to complain about the failure to award a free kick for what the Player considered a foul;
 - (c) the offence was classified as a Category 2 offence by the MRP. The Committee must have regard to all the circumstances to determine whether the offence is sufficiently proven to warrant the imposition of an additional sanction in addition to the MMS, noting the Committee is not bound by the Range at the Table of Offences (Regulations 11.40 – 11.43);
 - (d) the Committee has had occasion to consider cases involving physical contact with a match official, for example, in *Vukovic* (04.03.08); *Milanovic* (02.10.15) and *Amor* (29.11.16). On each occasion, the Committee has emphasised the

seriousness of offences involving contact with a match official and the “*zero tolerance policy*” in this regard (*Amor* at [51]);

- (e) of the prior cases, *Amor* is the most apposite to the present facts;
- (f) the Player’s record is favourable, receiving no Red Cards and four (4) yellow cards over 58 games since 2002, which is a small number for a defensive midfielder;
- (g) the following findings should be made in respect of the Offence: based on the Incident Report, a finding should be made that the Player made physical contact with the Referee; and based on the Video Evidence, the contact was not forceful or violent, and was likely made for the purpose of seeking the Referee’s attention;
- (h) having regard to all the circumstances, the appropriate finding should be one of Unsporting conduct towards a Match Official albeit at the lower end of the range; and
- (i) it is important to highlight the principle that referees should be supported. The nature of the offence is such as to justify the appropriate minimum sanction of three (3) matches plus the MMS.

The Player’s Written Submissions

23. The Player contended, in summary, that:

- (a) the Minimum Sanction available to the Committee is the MMS (Disciplinary Regulations 11.45, 11.56, 13.1(e), 13.2, 13.3);
- (b) the Statement describes the incident as a light tapping of the Referee;
- (c) the Video Footage suggests that the Player’s contact was limited to touching /tapping the back/shoulder and tugging at the Referee’s shirt in order to attract her attention;
- (d) the Video Footage also suggests that the Player did not move towards the Referee multiple times after receiving the Red Card and did leave the field after being shown the Red Card;

- (e) the conduct of the Player was less serious than the cases of *Vukovic; Milanov & Amor*;
- (f) the Player accepts, as Disciplinary Counsel contended, that the appropriate finding with respect to her conduct is one of unsporting conduct to a Match Official albeit at the low end of the range. The Player also accepts, as Disciplinary Counsel submitted, that based on the Incident Report, a finding should be made that she made physical contact with the Referee and based on the Video Evidence, the contact was not forceful or violent, and was likely made for the purpose of seeking the Referee's attention;
- (g) the Player's disciplinary record is (very) favourable, having only received four (4) yellow cards and no red cards in 58 games;
- (h) the Player has expressed remorse, understands that she should not have touched the Referee and accepts responsibility for her actions;
- (i) the Player's recent ankle injury which increased her sensitivity to a foul that she perceived was missed by the Referee is relied upon as an extenuating circumstance;
- (j) the Character Reference describes the Player as kind, friendly, calm, respectful and without malice or violence;
- (k) the Player is currently registered with and but for this referral would have been eligible to play for Gold Coast United in the Football Queensland WNPL competitions. Football Queensland has informed the Player that she is ineligible to play in any WNPL fixtures pending the outcome of this hearing. She has consequently missed at least one WNPL match and thus served the MMS; and
- (l) Disciplinary Regulation 15.11 provides that a player must complete a suspension in the A-League and that an A-League Player who has not completed an A-League suspension may play in other (non-A-League) Regulated Football Matches. Therefore, if a suspension in addition to the MMS is to be imposed, it is to be served at the commencement of the next A-League Women season and not part of the WNPL.

Disciplinary Counsel's Written Submissions in Reply

24. By way of reply, Disciplinary Counsel contended, in summary, that:

- (a) Disciplinary Regulations 11.42 and 11.43 require the Committee to determine whether an additional sanction is warranted for Category 2 Offences, with discretion to consider but not be bound by the Range of the Table of Offences. However, clause 13.3 limits penalties outside the Range of the Table of Offences to "Exceptional Circumstances", creating a conflict with clauses 11.42 and 11.43. That conflict should be resolved by construing clauses 11.42 and 11.43 as overriding clause 13.3 for Category 2 Offences, granting broader discretion to the Committee. However, the Range of the Table of Offences remains a significant persuasive factor;
- (b) the Player's statement is respectful, remorseful, and consistent with video evidence. She accepts the Referee's decision and has a favourable character reference from her coach, Alex Smith, along with a positive disciplinary record;
- (c) there is zero tolerance for physical contact with Referees and sanctions should be imposed to deter such behaviour. A sanction comprising only the MMS is insufficient. The appropriate sanction in the circumstances should be two to three matches (including the MMS); and
- (d) as to the serving of the sanction, and consistent with Disciplinary Regulations 15.9 and 15.11, Football Australia accepts the WNPL match that the Player has missed should count as the MMS with any remaining suspension to be served at the start of the next A-League Women's season.

The Player's Supplementary Written Submissions

- 25. In her supplementary written submissions, the Player notes that as at the date of the hearing she will, in effect, have served a three match suspension because she has been ineligible to play in WNPL matches for Gold Coast United played on 3, 10 and 15 May 2025.
- 26. In these circumstances and taking into account Disciplinary Counsel's submissions in reply, the appropriate sanction is a suspension of three matches (including the MMS) which will already have been served as at the date of the Committee hearing.

27. Orally, however, Mr Philips emphasised his “baseline” submission that the appropriate sanction was the MMS.

E. FINDINGS

28. Having regard to the Incident Report, the Statement and the Video Footage, we find that in or about the 59th minute of the Match, the Player made intentional physical contact with the Referee. It was made in an attempt by the Player to obtain the Referee’s attention following an incident at an earlier phase of play in which the Player considered that she should have been awarded a free kick due to what she considered was a foul by MV Player Murphy.
29. As to the severity of the contact, the Player describes it variously as a “*light tap*” or “*touching*” of the Referee’s “*back/shoulder and tugging at her shirt in order to attract her attention.*” In the Incident Report, the Referee describes the contact differently and as being “*struck*” to the “*right arm from behind. It continued onto my middle back. It felt hard and there was enough force to make my body turn...*”
30. As Disciplinary Counsel fairly submitted and the Committee accepts, the Video Footage does not provide a clear view of the contact between the Player and the Referee and there is no obvious aggressive movement or forceful action from the Player. But, as the Player frankly accepts, she made physical contact with the Referee in an attempt to gain her attention, she “*should not have touched the Referee*” and she “*accepts responsibility for [her] actions...*”
31. We accordingly find that the contact by the Player with the Referee was not violent or forceful.
32. Disciplinary Counsel submitted, the Player accepted, and the Committee agrees and finds that the contact comprises the offence of unsporting conduct towards a Match Official but at the lower end of the range.
33. The Disciplinary Regulations prescribe that the offence of unsporting conduct towards a Match Official is a “Category 2 Offence” for which the Range of the Table of Offences prescribe a “*Minimum Sanction*” of “*3 additional matches plus the Mandatory Match Suspension.*”
34. Disciplinary Regulation 11.43 provides that at the hearing of a referral for a Category 2 Offence such as this, the Committee relevantly:

“(a) must make a Determination as to whether an additional sanction over and above the Mandatory Match Suspension is warranted;

(b) whilst limited to determining the question of any additional sanction, may have regard to but is not bound by the Range at the Table of Offences;...”

35. However, Disciplinary Regulation:

- 13.2 provides that *“when determining any appropriate sanction in accordance with the Range at the Table of Offences, a Judicial Body may consider:*

(a) the nature and severity of the Offence, including whether it was intentional, negligent or reckless;

(b) the Participant’s past record and whether or not this is a repeated Offence;

(c) the remorse of the Participant; and

(d) any extenuating circumstances relevant to the Commission of the Offence.”
and

- 13.3 provides that a *“sanction outside of the Range at the Table of Offences may be imposed by a Judicial Body only in Exceptional Circumstances that must be detailed in the Determination, provided always that the Mandatory Match Suspension must be served.”*

36. There would appear, as Disciplinary Counsel contends, a tension between Disciplinary Regulation 11.43 on the one hand and Disciplinary Regulations 13.2 and 13.3 on the other. It is not an issue which the Committee has previously had occasion to consider. We propose to address and resolve that apparent tension.

37. The Disciplinary Regulations differentiate between Category 1 and Category 2 Offences, the latter comprising more serious offences as is apparent from the “Minimum Sanctions” prescribed in the Range of the Table of Offences for the respective categories of offences.

38. Regulation 11.20 of the Disciplinary Regulations provides that when addressing Category 1 Offences, the MRP applies the Range at the Table of Offences to the facts of the case to determine what sanction, if any, it proposes should apply in addition to the Minimum Sanction (inclusive of the MMS).

39. Disciplinary Regulation 11.23 relevantly provides that upon receipt of a Disciplinary Notice proposing a sanction (issued pursuant to Disciplinary Regulation 11.22) in relation to a Category 1 Offence, the Participant may elect to accept the proposed sanction or refer to the Committee for hearing what additional sanction should be imposed above the Minimum Sanction (inclusive of the MMS which must always be served), applying the Range at the Table of Offences in accordance with the Regulations. In considering a referral under Regulation 11.23, the Committee must apply the Range at the Table of Offences.
40. Relatedly, Disciplinary Regulation 13.3 provides that when applying any sanction in accordance with the Range of the Table of Offences, the Committee may only impose a sanction outside that range in “Exceptional Circumstances” as defined. In other words, in the consideration of a referral of a Category 1 Offence, the Committee is bound to apply the Range of the Table of Offence and may only impose a sanction outside of that range if there are “Exceptional Circumstances” as defined. Upon its proper construction, Disciplinary Regulation 13.3 applies where the Committee is required to determine and apply a sanction in accordance with the Range of the Table of Offences such as is the case when determining a sanction for a Category 1 Offence.
41. A referral under Disciplinary Regulation 11.42(b) is in respect of the more serious Category 2 Offences. Unlike Disciplinary Regulation 11.23, Disciplinary Regulation 11.43 makes plain that in determining whether an additional sanction over and above the MMS is warranted, the Committee may have regard to but is not bound by the Range at the Table of Offences. Therefore, in such a referral, the Committee is not required to apply a sanction in accordance with the Range of the Table of Offences. Accordingly, Disciplinary Regulation 13.3 does not apply. The Committee is thus afforded a discretion that it does not have in relation to referrals of Category 1 Offences.
42. In determining referrals under Disciplinary Regulation 11.42(b), the Committee is not bound by the Range of the Table of Offences but may have regard to them (Disciplinary Regulation 11.43(b)). The Committee customarily determines appropriate sanctions in respect of Category 2 Offences by reference to the Range of the Table of Offences. It is important that it does so because the Range of the Table of Offences promotes clarity and predictability by providing guidelines as to the boundaries of acceptable conduct and potential sanctions for breach. It also

ensures that there is relative uniformity and consistency in the manner in which offences are sanctioned.

43. The Committee may, in determining the appropriate sanction for either a Category 1 or Category 2 Offence, have regard to those matters outlined in Regulation 13.2 in respect of which the parties have adduced evidence and made submissions and which we now address.

The Nature and Severity of the Offence

44. Whilst the Player made intentional physical contact with the Referee, it was, as we have found, not violent or forceful. It was not intended to intimidate the Referee. It was intended to obtain the Referee's attention in relation to a foul which the Player thought the Referee had missed.
45. It was an intolerable, inappropriate and unacceptable manner of obtaining the Referee's attention. It comprises the offence of unsporting conduct towards a Match Official but at the lower end of the range.

Disciplinary Record

46. Since 2022, the Player has competed in over 58 games in which she has received a total of 4 Yellow card and no other Red Cards. This is her first Red Card. The Player has a good disciplinary record especially for a defensive mid-fielder.

Remorse

47. The Player said that her intention was to get the attention of the Referee. She did not intend to intimidate the Referee, understands that she should not have touched the Referee and accepts responsibility for her actions. The Player's remorse stands in her favour.

Extenuating Circumstances

48. The Player said that she had suffered an ankle injury earlier in the season following an opponent's tackle which caused her to miss games. The Player was therefore particularly sensitive at what she considered to be a serious foul being missed by the Referee and her desire to bring this to the Referee's attention.
49. "*Extenuating Circumstances*" are not defined in the Disciplinary Regulations. Such circumstances are generally understood, however, to include facts or circumstances

which provide context or promote a better understanding of the conduct and which may relevantly mitigate a sanction.

50. The Committee accepts that the injury the Player suffered earlier in the season following an opponent's tackle may have made her sensitive to serious fouls being missed by the Referee. However, it does not excuse or mitigate the severity of her conduct. The Player is a professional footballer and the risk of injury is ever present. In the Committee's view, the Player's sensitivity to such a risk is not an extenuating circumstance that mitigates sanction.

Character Reference

51. The Character Reference describes the Player as being "*one of the kindest and friendliest football players*" in the game, claim, respectful and without malice or violence. It stands in the Player's favour.
52. Unfortunately, this is yet another case involving impermissible intentional contact with a Match Official, albeit at the lower end of the range of severity. The parties referred in their submissions to some of the earlier cases commencing with *Vukovic* in 2008. In *Van Den Brink* (26.11.09), the Committee said (at [25]) that, "*[i]f players make intentional contact with a referee they do so at their peril. Any intentional contact by a player with a referee during a game has the potential to undermine the authority of the referee and his/her control of the game. It can suggest that a player has some degree of authority or control over a referee or is attempting to assert some form of authority or control. Intentional contact with a referee is disrespectful. It is unnecessary and inappropriate.*"
53. In *Amor*, the Committee made plain that there is a "*zero tolerance policy*" (at [51]) when it comes to physical contact with a Match Official who, as noted in *Arslan* are a "*...necessary lifeblood of the game and are deserving of respect, courtesy and protection at all levels.*" (at [22])

Can the matches the Player missed in the WNPL count towards any sanction imposed by the Committee?

54. The Player is registered to play for Gold Coast United in the Football Queensland WNPL competitions. The WNPL is a "Regulated Football Match" as defined in the Disciplinary Regulations.

55. The Player initially submitted that she had missed one WNPL match and that it should count towards the service of any suspension.
56. In his written submissions Disciplinary Counsel contended that consistent with Disciplinary Regulations 15.9 and 15.11, Football Australia accepted that the WNPL match the Player missed should count towards the sanction. Mr Philips endorsed that submission.
57. In her supplementary submissions, the Player contended that she had missed three WNPL games and that these should all be counted in service of her suspension. However, during oral submissions, the Committee was informed by Mr Philips that the last of those three (3) games was postponed, so that the Player has missed only two (2) WNPL matches. Disciplinary Counsel accepted this to be the case.
58. In oral submissions, Disciplinary Counsel resiled from the submission initially made in writing that Disciplinary Regulations 15.9 and 15.11 permitted the Committee to attribute the WNPL matches that the Player had missed to any sanction imposed by the Committee. Instead, Disciplinary Counsel submitted the fact that the Player had missed two (2) WNPL games following the referral is a matter that the Committee may take into consideration in determining the appropriate sanction.
59. Without derogating from his primary submission that Disciplinary Regulation 15 permitted the Committee to take the course that he urged upon it, Mr Philips also submitted, that the Player having missed two (2) WNPL games is a matter that should form part of the factual matrix for the Committee to consider when determining sanction.
60. Disciplinary Regulation 15 is headed, "*Serving a Suspension*". Disciplinary Regulation 15.1 provides that one of the objectives of the Regulations is to for participants to "*serve suspensions in the A-Leagues (being the competition in which the Offence was committed)...*" and/or, *in the case of the A-League Men, the Australia Cup.*"
61. Disciplinary Regulation 15.9 provides that, if "*a matter is referred to the [Committee], the Participant is ineligible to participate in any Regulated Football Match in the capacity of either Player or Team Official until the final Determination of the matter.*"
62. Consistent with the objectives outlined in Disciplinary Regulation 15.1, Disciplinary Regulation 15.11 relevantly provides that:

- a Participant must serve their suspension in the next A-Leagues Match(es) in which their team participates; and
 - *“...if a Participant has not completed his or her suspension at the commencement of a Non-playing Period, they may, subject to the competition rules governing those Regulated Football Matches, participate in other Regulated Football Matches (excluding Australia Cup Matches) during a Non-playing Period.”*
63. Disciplinary Regulation 15.11 is consistent with Regulation 11.6 of the Football Australia National Disciplinary Regulations which similarly and relevantly provides that, *“a Participant who receives a suspension for an Offence in a Match forming part of a Competition must serve that suspension in the next following Match(es) forming part of any Competition (i.e. the Competition in which the relevant Offence was committed)....”*
64. Therefore, where a matter is referred to the Committee:
- a Participant is ineligible to participate in any Regulated Football Match until final determination of the matter;
 - upon the determination of a referral, a Participant resumes their eligibility to participate in any Regulated Football Match subject to the competition rules governing those matches;
 - to the extent that the determination imposes a suspension, it is to be served in the competition in which the offence took place, relevantly for present purposes, the A-League; and
 - where, as is the case here, the suspension is imposed during a Non-Playing period, the suspension is to be served in the next A-League match(es) in which a Participant’s team participates.
65. Having regard to the very clear objectives of Disciplinary Regulation 15 and the language employed in a number of the sub-regulations of Disciplinary Regulation 15 including those to which the Committee has referred, there is no scope for any Participant, including the Player in this instance, to serve any part of a suspension imposed for an offence committed in the A-League in any other Regulated Football Match other than the A-League itself.

66. We now turn to consider the submission that the Player having missed two (2) games of the WNPL whilst awaiting the determination of the Referral is a matter which the Committee ought to take into account in the determining the appropriate sanction.
67. As we averted to earlier, the Referral did not proceed with the usual expedition given, we infer, the fact that it occurred at the end of the A-League season and in circumstances where BR did not qualify for finals. Directions were made and the Referral fixed for hearing after the parties were consulted. No party applied for an expedited hearing.
68. It was not suggested, for example, that there had been an administrative or other issue that prevented the Committee from being convened at an earlier time and consistent with the usual practice in such cases. If, as the Player now contends, her interests in participating in the WNPL may have been prejudiced by any delay in the determination of the Referral, it was incumbent upon the Player to seek to have the Referral determined more expeditiously.
69. No submissions were made or evidence adduced as to the cause of the delay in the hearing of the Referral or why no application was made by either party to have the Referral determined more expeditiously. In the absence of a proper appreciation as to the cause of the delay, we are not persuaded that the mere fact that the Player was denied the opportunity to participate in two (2) WNPL games whilst awaiting the determination of the Referral is a matter that the Committee should take into consideration.

CONCLUSION

70. Having regard to the nature and severity of the offence, the Player's Disciplinary Record and her admitted remorse, the Committee considers an appropriate sanction to be two (2) matches in addition to the MMS.
71. The Referral having been determined, the Player is now eligible to play in Regulated Football Matches including for Gold Coast United in the WNPL with the suspension imposed by the Committee to be served in the next A-Leagues Matches in which the Player participates.

RESULT

- 72. The sanction we impose is two (2) matches in addition to the MMS.
- 73. The suspension is to be served in the next A-Leagues Match(es) in which the Player participates.

A handwritten signature in dark ink, appearing to read 'A. Lo Surdo', with a stylized, cursive script.

AP Lo Surdo SC, Disciplinary & Ethics Committee Chair

Date 16 May 2025