

The conviction arose out of an on-going dispute between Tsakissiris and a man called Arthur Gosper who lodged a complaint with the Stewards about Tsakissiris's behaviour. Apparently there had been a previous complaint in which Tsakissiris had been charged and the Stewards had dismissed the complaint. However, as the Stewards stated immediately after the previous hearing concluded Tsakissiris approached Gosper demanding an apology for his daughter relating to events that had been dealt with in the previous hearing.

The Stewards found that during the events leading up to the current charge Tsakissiris questioned the credibility of the Secretary, and that he "offered out" (i.e. challenged him to a fight) Gosper and insulted one Les Miles.

Although in this hearing there was little evidence of what had taken place at the previous hearing, it seems that Gosper had used insulting language (he called Tsakissiris a "wog") to at least Tsakissiris and that Gosper had been made to apologise by the Stewards for that behaviour. By inference from what is contained in the transcript, the Stewards intended to take that action further.

The Stewards after dismissing the charge cautioned the parties not to carry the matter further. Tsakissiris obviously chose to ignore the Stewards' injunction.

All the way through the hearing, Tsakissiris took the view that he had done nothing wrong by demanding an apology on behalf of his daughter. Tsakissiris maintained that he behaved reasonably and calmly. He also claimed that he had been polite when he challenge the Club Secretary's version of events and hence her credibility.

The Stewards obviously did not accept his version of events and preferred that of the other people who gave evidence before them.

The Notice of Appeal states Tsakissiris's grounds as a denial of natural justice in that the events complained of did not happen, that the appellant was an active member of the local club for 10 years, and had a good record; and that he felt victimized by the complaints in the second Stewards' inquiry.

Having heard the appellant's submissions in detail, it is hard to arrive at a clear view of what his grounds really were. Essentially most of his submissions were an attack on the impartiality and credibility of the Stewards and that of the other people who gave evidence. Tsakissiris did produce a number of witnesses before the Stewards all of whom the Stewards heard but discounted.

The Stewards found that Tsakissiris had ignored specific instructions after the first hearing to the effect that the dispute was over and that Tsakissiris should not take the matter any further. They found that Tsakissiris ignored their instructions and breached the Rule almost immediately after the first hearing concluded. The Stewards did not accept Tsakissiris's version of events and there was nothing in Tsakissiris's submissions to satisfy this Tribunal that the Stewards were wrong.

On the evidence as it appears in the transcript and on the submissions put before this Tribunal, there is no reason why the finding of the Stewards should be set aside. The conviction therefore stands.

As to the penalty imposed Tsakissiris was given a 12 month disqualification and a fine of \$500. The disqualification was fully suspended for 12 months on the condition that if there were any further breach of Rule 125 (or its substitute) then the matter would be re-visited.

This Tribunal finds that the appeal should be dismissed and the penalty should stand. The deposit is forfeit.

Leo Williams AO
Chairman
