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## RECOMMENDATIONS OF THE HON D G STEWART

### THE COMMITTEE'S RESPONSE

#### Stewart Recommendation 1

*The Board of Commissioners of the Australian Soccer Federation (the Board) should terminate the services of Mr Eddie Thomson as national coach as soon as possible.*

The Committee received no credible evidence, including the evidence in the Stewart Report, to justify this severe penalty. Those actions of Mr Thomson which were criticised in the Stewart Report, and essentially confirmed by the Senate inquiry, were inappropriate.

#### Committee Recommendation 7

The Committee **recommends** that the Australian Soccer Federation Board takes every step, through implementation of the measures outlined above, to ensure that a National Coach is not allowed to be placed in such a position of conflict of interest again.

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#### Stewart Recommendation 2

*The Board should give serious consideration to the termination of the services of Mr Les Scheinflug as assistant national coach and youth team coach. At the very least, Mr Scheinflug should be severely censured. The question for the Board is whether it is prepared to have a person who has behaved in the manner that I have described in this report continue to lead and coach the youthful players under his charge.*

The Committee received no credible evidence, including the evidence in the Stewart Report, to justify this severe penalty. The Committee could not establish any convincing basis on which action should be taken against Mr Scheinflug.

**Committee Recommendation 8**

The Committee **recommends** that the Australian Soccer Federation Board takes every step, through implementation of the measures outlined above, to ensure that an Assistant National Coach and National Youth Coach is not allowed to be placed in such a position of conflict of interest again.

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**Stewart Recommendation 3**

*The Board should reprimand Mr Basil Scarsella for his actions in relation to the Ned Zelic transfer incident and also for his involvement in the further incidents involving Mr Zelic and Mr Refenes and the barbecue at Papendaal.*

The Committee received no credible evidence, including the evidence in the Stewart Report, to justify this severe penalty. The Committee could not establish any basis on which action should be taken against Mr Scarsella.

**Committee Recommendation 9**

The Committee **recommends** that the Australian Soccer Federation take every step, through providing an adequate contract and the other measures indicated above, to ensure that a national team manager is not placed in such a position of conflict of interest again.

**Committee Recommendation 10**

The Committee **recommends** that a dedicated and professional team manager should accompany international teams.

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#### Stewart Recommendation 4

*The Board should take such steps as are necessary to ensure that Mr Antonino Labbozzetta as soon as possible ceases to be a Commissioner of the Australian Soccer Federation and does not in future hold office in the organisation, and so far as it is within the power of the Board, in any other organisation involved with soccer.*

As Mr Labbozzetta is appealing against a finding against him by the NSW Liquor Administration Board, the Committee does not wish to comment at this stage beyond what is contained in paragraph 2.15 above.

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#### Stewart Recommendation 5

*The Board should ensure, so far as it is within its power, that Mr Berti Mariani does not in the future hold office in any organisation involved with soccer.*

The Committee received no credible evidence, including the evidence in the Stewart Report, to justify this severe penalty. The Committee could not establish any convincing basis on which action should be taken against Mr Mariani.

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#### Stewart Recommendation 6

*The Board should ensure, so far as it is within its power, that Mr Alfio Bulic does not in the future hold office in any organisation involved with soccer.*

The Committee received no credible evidence, including the evidence in the Stewart Report, to justify this severe penalty. The Committee could not establish any convincing basis on which action should be taken against Mr Bulic. We note that Mr Stewart took no evidence from Mr Bulic.

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### Stewart Recommendation 7

*The Board should review Australian Soccer Federation procedures in relation to its involvement in overseas transfers of players in the light of the cases examined in this report and the provisions of the FIFA statutes and regulations. In particular it should take steps to ensure that all players and clubs are aware of the new FIFA regulations regulating the activities of players' agents and the penalties for non-observance of the FIFA regulations.*

The Committee supports this recommendation.

### Committee Recommendation 11

The Committee **recommends** that the Australian Soccer Federation make all players and clubs aware of the new FIFA Regulations.

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### Stewart Recommendation 8

*Insofar as the new FIFA regulations concerning the registration of players' agents are concerned the Board should take steps to object to the registration of persons whose activities have been the subject of adverse comment in this report.*

See Committee's recommendation 2.

### Committee Recommendation 2

The Committee **recommends** that the Australian Soccer Federation (ASF) should accredit an agent or agents who would act for the ASF in relation to overseas player transfers so as to ensure that Australia's soccer and financial interests are fully protected. These agent(s) must be experienced in the area of player transfers in the international scene, and must be people of integrity.

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### Stewart Recommendation 9

*The Board should take steps to ensure that the domestic transfer fee system applying to the transfer of players within Australia is abolished before the end of 1996.*

Supported. See Committee recommendation 5.

### Committee Recommendation 5

The Committee **recommends** that the domestic player transfer fee be abolished immediately.

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### Stewart Recommendation 10

*Chapter 7 of this report relating to the activities of Rale Rasic, and all relevant documentation, including exhibits and transcripts, should be forwarded by the Board to the Commissioner of the New South Wales Police Service for such action as he deems appropriate.*

This matter has been referred by the ASF to the Commissioner of the New South Wales Police Service, where inquiries have resulted in the matter not proceeding

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### Stewart Recommendation 11

*Chapter 8 of this report relating to the activities of Frank Arok, together with all relevant documentation, should be referred by the Board to the Commissioner of the New South Wales Police Service for investigation as to whether breaches of the New South Wales Secret Commissions Act or other New South Wales criminal law have occurred.*

This matter has also been referred by the ASF to the Commissioner of the New South Wales Police Service. The Committee is unable to provide further comment at this stage.

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**Stewart Recommendation 12**

*The Board should review existing arrangements and written guidelines for the conduct of overseas tours and the responsibilities and roles of tour leaders, coaches, players and officials.*

Supported. ASF has taken the matter in hand with the appointment of a high performance manager. See comment on Stewart recommendation 3 above.

**Committee Recommendation 3**

The Committee **recommends** that the Australian Soccer Federation should establish a panel of experienced people who can provide advice to players and clubs with respect to a player who had been approached by an overseas club or who wished to seek a transfer to an overseas club. This panel should contain the National Coach, but the National Coach should not provide independent advice to players, and his advice through the panel should relate to football matters and not to other aspects of the potential transfer.

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**Stewart Recommendation 13**

*The Board should seek and act upon competent legal advice regarding the question of contracts with minors or other disadvantaged persons and the consequential redrafting of the form of contract.*

Supported. See Committee recommendation 6.

**Committee Recommendation 6**

The Committee **recommends** that player contracts, including contracts with juniors and players with language or other such difficulties, must be reviewed and made fair and equitable. Players are not chattels to be bought and sold without proper consideration of their interests.

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**Stewart Recommendation 14**

*In view of the apparent need for players to be able to seek competent and informed advice in relation to overseas transfer prospects and proposals, the Board should consider the adequacy of existing advisory mechanisms. In conjunction with the Players' Association, the Board should consider the establishment of a panel of advisers who would be available to assist players. This panel should not under any circumstances include the national coaches, whoever they may be.*

Supported. See Committee recommendation 3.

**Committee Recommendation 3**

The Committee **recommends** that the Australian Soccer Federation should establish a panel of experienced people who can provide advice to players and clubs with respect to a player who had been approached by an overseas club or who wished to seek a transfer to an overseas club. This panel should contain the National Coach, but the National Coach should not provide independent advice to players, and his advice through the panel should relate to football matters and not to other aspects of the potential transfer.

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