

DISCIPLINARY COMMISSION

In the Matter of
Basketball England
v
Marius Stasiunas

COMMISSION

The Commission members appointed by Basketball England were:

Chairman: Gerald Daish
Member: Martin Shaw
Member: Ollie Powell

Colin Hills acted as Secretary to the Commission.

A disciplinary hearing took place online via Microsoft Teams on 9th May 2014 commencing at 10.00am.

Marius Stasiunas was not present.

CHARGES

Basketball England charged Marius Stasiunas on 4th March 2024 with a breach of Disciplinary Code 5.4 Using any language or behaviour that is Aggravated by the use or reference, whether explicitly or implied, to another person's ethnic origin, colour, race, age, nationality, religion or belief, gender, gender reassignment, sexual orientation, or disability.

It was alleged that aggravated language was used, which included, but is not limited to, "Fucking Nigger" and/or "Black Bastard".

RESPONSE

Marius Stasiunas accepted the charge and requested that the matter be dealt with on the basis of correspondence only.

RULES

Rule 5.4 of Basketball England's Disciplinary Code: A Participant shall not use any language or behaviour that is Aggravated by the use or reference, whether explicitly or implied, to another person's ethnic origin, colour, race, age, nationality, religion or belief, gender, gender reassignment, sexual orientation, or disability.

DOCUMENTATION

i. Charge letter

- ii. Statement from Kevin Henry [Official]
- iii. Statement from Steve Mroso [Official]
- iv. Statement from Marian Ryan [Table Official]
- v. Scoresheet
- vi. Statement from Matt Jacques [Churchbridge]
- vii. Correspondence with Bad Company

COMMISSION'S FINDINGS

The Commission found that Marius Stasiunas accepted the charge and claimed that there was a problem between this referee and his team, Bad Company.

SANCTION

The Commission found the offence to be of 'high' level of seriousness and considered the sanction in accordance with Basketball England's Sanction Guidelines.

Aggravating Factors:

The words were not in one isolated outburst, they were repeated.

Mitigating Factors

- i. Acceptance of the charge.
- ii. There were no previous offences on record.

Suspension

Marius Stasiunas is suspended for 10 matches.

Fine

Marius Stasiunas is fined £175.

Education

Marius Stasiunas is to attend an online Equality Education session within three months.

RIGHT OF APPEAL

There is a right of appeal against this decision under Basketball England regulations.

Chairman Gerald Daish

Date 9th May 2024