



GUIDANCE NOTES NO:

7.3

PERSONAL HEARINGS' GUIDANCE

FOR UNDER-18s

Version: 1.1
Published: MAY 2019



FOR ALL

CONTENTS

1. BEFORE THE HEARING	4
2. AT THE HEARING	5
3. AFTER THE HEARING	6
Appendix 1: How a personal hearing is run – For the person being charged	7
Appendix 2: How a personal hearing is run – For under-18 witnesses of the person being charged	8
Appendix 3: How a personal hearing is run – For under-18 witnesses of the County FA	9
Appendix 4: Explanations of some of the words/phrases used	10
FURTHER INFORMATION	11

This guidance was prepared with the involvement and input of under-18s.



PERSONAL HEARINGS FOR UNDER-18s

Giving evidence is not easy, especially in front of other people. It can be particularly difficult for young people in football, where passions can run high.

So let's take the pressure off. If you've been charged, you have every right to request a personal hearing. It's your chance to explain in your own words what happened.

We want your hearing:

- 1. TO GO AS SMOOTHLY AS POSSIBLE;**
- 2. BE FAIR, AND GIVE YOU THE CHANCE TO SAY WHAT YOU WANT TO SAY;**
- 3. TO LEAD TO THE CORRECT DECISION.**

That's why we've produced this booklet. Whatever the decision, we want you to carry on enjoying football as soon as possible.

If you're not the person being charged, but are attending a hearing as a witness, please read Appendices 3 and 4.



IF YOU CLICK ON ANY OF THE WORDS/ PHRASES HIGHLIGHTED IN **YELLOW IN THIS BOOKLET, IT WILL GO STRAIGHT TO AN EXPLANATION.**

1. BEFORE THE HEARING

Where will it be held?

This is decided by the County FA. Where possible, they'll take into account the whereabouts of those who need to attend, so getting to the hearing is easy as possible.

What should I bring?

It's a good idea to bring a copy of the **charge letter** and any other correspondence. This should help you focus and jog your memory on what happened. But don't worry if you don't have it, copies can be supplied.

Can I make notes in advance?

Of course. If it helps, bring your notes and read them out at the hearing. Whatever's best for you.

What should I wear?

Whatever you're comfortable in. A tracksuit, casual clothes – your shout.

Who can I bring with me?

Bring whoever you want, either simply to be with you, or as witnesses (see below). However, as an under-18-year-old, you must bring a **responsible adult** with you.

This responsible adult could be your parent/carer or an **official from your club**. They can have one of two roles:

- To support you: they can come into the hearing with you, if that makes you feel more comfortable, but must not say anything;
- As a witness: this means they cannot come into the whole hearing, but will be called as a witness at the relevant point.

Note: Only in exceptional circumstances can the responsible adult perform both the above roles. But if this is unavoidable, the County FA will make arrangements.

How many witnesses can I bring?

There's no actual limit, but too many and their evidence can start becoming repetitive – or confusing – which may not help you.

It's best if any witnesses attend who have provided information before your hearing. Then they can answer any questions. But it's fine for a witness to attend even if they haven't provided advance information.

All we ask is you let the County FA know how many witnesses you intend to bring to help with arrangements on the day.

What if my witness(es) can't attend?

Ask them to submit a written statement to the County FA before the hearing. But please be aware that written statements may not carry as much weight as a personal appearance, especially if the statement leaves some questions unanswered.

So we urge you to ensure your witness(es) attend in person.

Will the person who made the report be there?

Usually yes, but don't let that worry you. The County FA are there to ensure everyone behaves properly. And, as you'll see in the next section, when you give evidence, the person who reported the incident – and any of their witnesses – will not be in the room.

Are there any fees to pay to hold the hearing?

Not by the person being charged, as you are under 18. Any fees are payable by the club. And remember, even if the charge against you is **proven**, no fines are imposed on under-18s. The main **sanction** affecting you, if one is imposed, is a **ban** from playing for a set period.



2. AT THE HEARING

Who'll be there?

Apart from you, your accompanying adult and your witness(es), there's the members of the 'Commission' or 'Panel'. These are the people who'll listen to all the evidence and come to a **decision**. Three people sit on the Commission:

- **The Chairperson;**
- **Two other Commission/Panel members.**

There will also be a Secretary to ensure the hearing runs smoothly.

Then there's:

- **The person who reported the incident:**
This will normally be the match official(s). However, it could be someone else, e.g., a member of another club.
- **Additional people who may appear:**
This completely depends on the specifics of the charge.

How long will it last?

Usually no more than 45-60 minutes. However, it depends how much evidence there is. If the hearing before yours overruns, yours may be delayed. Of course, your hearing could overrun too, meaning the next one starts late.

What happens when I arrive?

The Secretary will meet you and those with you. He/she will record everyone's name. If you have any additional reports/statements you should hand them to the Secretary at this point. However, we urge you to lodge these with County FA before the hearing, so the Commission has everything in advance.

You'll then be asked to wait until the hearing's ready to start.

What happens in the hearing itself?

There are five stages:

1. **Introductions;**
2. **County FA evidence** from the person who made the report – and any witnesses, plus **questions** (if any);
3. **Your evidence** and that of your witnesses, plus **questions** (if any). After this, you and your accompanying adult will be asked to leave the hearing.
4. **The Panel's decision** and any sanction they impose. These will be announced at the end of the hearing and then communicated directly to your club as soon as possible.
5. **Mitigation:** If the charge is 'proven' and before the sanction is announced, this is a chance to make a plea for leniency before the hearing closes. If 'unproven', all details of the case are removed from the records.

For more detail on each of these elements, and who can be in the room when you give evidence, see **Appendix 1**.

Please be aware:

Only the Chairperson can ask questions to anyone under-18 at the hearing, whether the person being charged, or a witness.

You can take written notes at a personal hearing, but no-one is allowed to audio-record proceedings.

3. AFTER THE HEARING

The Panel's decision and sanction (if any) are normally announced at the end of the hearing, unless there are exceptional circumstances. So you and your responsible adult should stay until the end.

In all cases, the decision/sanction is also communicated to your club as soon as possible after your hearing. It will also explain to the club what action you need to take, if any.

The communication to your club will also explain how to appeal if you want to.



APPENDIX 1

HOW A PERSONAL HEARING IS RUN – FOR THE PERSON BEING CHARGED

There are some **very specific rules** surrounding personal hearings for under-18s. For example, only the Chairperson of the hearing can ask questions to under-18s.

1. **Introductions:**

When the hearing is ready to start, the Secretary will show you into the room with your accompanying adult.

- The person who reported the incident (usually the referee) will also be asked to come in.
- The Chairperson will introduce the Panel, and ask you to introduce yourself. He/she will then check you've seen/read **the report** and **the charge**.
- You will be asked to respond to the charge.

2. **Evidence from the person who made the report – and any witnesses, plus questions:**

- The person who reported the incident (usually the referee) is asked to say what they think happened.
- The members of the Commission may ask the witness any questions.

- Then the hearing's Secretary brings in any other witnesses who support the charge. They are invited in one at a time to say what they witnessed.
- Again, the members of the Commission may ask any questions after hearing these witnesses.

Note: Your adult representative (if you have one) can question the person who reported the incident or other witnesses. If a question asked is inappropriate, your representative will be asked to re-phrase it or ask a more suitable one. Witnesses cannot ask questions. But remember, only the Chairperson can ask questions to anyone aged under-18 at the hearing.

3. **Your evidence and that of your witnesses, plus questions:**

- Now it's your turn to give evidence.
 - Only the Commission members, the Secretary, your responsible adult and representative (if you have one) should be in the room. No-one else will be present;
 - Only the Chairperson of the Commission can ask you questions;

- At the end of the questioning by the Chairperson, you can call your witnesses to say what they witnessed. The Chairperson will question these witnesses if they want to.
- When you and your witness(es) have finished giving evidence, everyone will be asked to leave the room while the Panel considers its decision. You and your responsible adult should stay until the end of the hearing to hear the Panel's decision and sanction (if any), which will also be communicated to your club.

4. **The Panel's decision:**

The Commission then decides in private if the charge against you is **'not proven'** or **'proven'**. You and your responsible adult and representative (if you have one) will be asked to come back into the room to hear the decision and sanction (if any).

5. **Mitigation:**

After you've heard the decision and if the charge is proven, there is a chance for you or your representative (if you have one) to make a plea for leniency before the Panel considers the sanction. After the plea is made, you'll be asked to leave the room and will be called back when the Panel is ready to announce the sanction. If your charge is 'unproven', all details of the case are removed from the records.

To repeat, although you can take notes in the hearing, no-one is allowed to audio-record it.

APPENDIX 2

HOW A PERSONAL HEARING IS RUN – FOR UNDER-18 WITNESSES OF THE PERSON BEING CHARGED

Often the witness(es) asked to attend by the under-18-year-old being charged will also be under 18. The obvious example is a teammate.

If that's you and you're under the age of 18, the guidance is much the same as that for the young person whose hearing it is, i.e.

- You must bring a responsible adult with you, either to support you or as a witness.
- There's no dress code – wear whatever makes you comfortable.
- When you give evidence everyone else will be asked to leave the room, except:
 - The Commission members;
 - The adult with you;
 - The person being charged and their accompanying adult.
- Only the Commission Chairperson can ask you questions;

You will be called into the hearing after the person being charged has given their evidence. When you've finished giving your evidence, you will be asked to leave the hearing and can go home.

We recommend you bring a copy of any information you supplied before the hearing. It may help you focus and jog your memory on what happened.

You can bring any additional notes in if they help, but you must not audio-record the hearing. Copies of any information you supplied the County FA can also be provided.



APPENDIX 3

HOW A PERSONAL HEARING IS RUN – FOR UNDER-18 WITNESSES OF THE COUNTY FA

A witness asked to attend by the County FA could also be under 18.

If that's you, the guidance is much the same as that for the young person whose hearing it is, i.e.

- You must bring a **responsible adult** with you, either to support you or as a witness.
- There's no dress code – wear whatever makes you comfortable.
- When you give evidence everyone else will be asked to leave the room, except:
 - The Commission members;
 - The adult with you;
 - The person being charged (if under 18) and their accompanying adult.
- Only the Commission Chairperson can ask you questions;
- When you've finished giving your evidence, you will be asked to leave the hearing and can go home.

However, there are some specifics to point out to under-18 match officials asked to attend as a County FA witness:

- **You must attend:** Your attendance at hearings is part of your role to protect players and apply The Laws of the Game. Attending personal hearings is a requirement of The FA's referee regulations. If you genuinely cannot attend, you'll be given one alternative date. If you cannot, or fail to, appear, the case may go ahead in your absence and you could have disciplinary action taken against you.
- **You're a witness for the County FA:** You're not the person being charged, so you don't have to do anything except honestly answer any questions put to you. It's the job of the Commission to come to a decision and any associated sanction, if any.
- **Don't bring any witnesses:** As you are not the person being charged, you should not bring any witnesses. The County FA will decide if any other witnesses should attend.
- **Nothing to bring, but...** it's a good idea to bring a copy of the report that you submitted to the County FA when the incident happened. Although the Commission will already have copies, it may be useful for reference and to jog your memory.
- **It's not personal:** If the case is **not proven**, it does not mean that the match official has 'lost'. The case was never there to be won or lost. The match official on the day has done nothing wrong and will not get into any trouble. They saw an infringement and acted upon it, as they are required to do. You'll only be notified of the decision if you request it from the County FA.

APPENDIX 4

EXPLANATIONS OF SOME OF THE WORDS/PHRASES USED

TERM	MEANING
Charge letter	The letter received by the person being charged (normally a player), detailing the exact charge and details such as date and location. Plus any other evidence.
Responsible or accompanying adult	This could be your parent/carer or another adult who agrees to support you at the hearing.
Club Official	This could be the Club Secretary, your Team Manager or Coach – someone in a relevant position of authority.
Commission or Panel	This is the set of people who'll listen to all the evidence at a hearing and come to a finding. See page 5 to see who'll be on the Commission. 'Commission' is the usual term, but 'Panel' is sometimes used. They mean the same thing.
Chairperson	The head person of the Commission.
Written statement	A statement in writing giving a person's version of events. Ideally submitted to the County FA before the hearing happens. It forms part of 'the report' (see below).
County FA Designated Safeguarding Officer	The person at the County FA who has been trained in safeguarding matters around young people (i.e. anyone under 18)
County FA Referee Development Officer	The person at the County FA responsible for training and supporting referees, including those under 18.

TERM	MEANING
The report	The overall document from the County FA given to the Commission detailing the charge and any evidence it has received.
The charge	The wording within the report which states which football regulation it is believed has been broken.
Not proven	The charge is dismissed or simply 'not proven'.
Proven	The charge is upheld.
The decision	Either one of the above.
Sanction	This is the 'punishment' if the case is proven against the person who was charged. The sanction is usually a ban from the game for a set period. Any fines imposed are the responsibility of the club – not the under-18 player.
Mitigation	If the charge is 'proven' and the sanction announced, this is the chance to make a case for leniency.
Appeal	The right of the person who asked for the personal hearing to contest its decision. This appeal is made by the club direct to The FA, not the County FA.

FURTHER INFORMATION

If you have any queries these guidance notes don't answer, please contact your County FA. There may be additional information on personal hearing procedures on your County FA's website.

A list of County FA contacts and websites can be found at:

[TheFA.com/about-football-association/who-we-are/county-fas](https://www.thefa.com/about-football-association/who-we-are/county-fas)

You may also find the answer you need by going direct to the 'discipline' pages of your County FA website.

To go to these pages, simply add:

[/about/rules-and-regulations/discipline](#)
to your County FA's main web address.
For example, for the Suffolk FA, the link is:

www.suffolkfa.com/about/rules-and-regulations/discipline





The Football Association
Wembley Stadium
London HA9 0WS
T: +44 (0)800 169 1863
F: +44 (0)800 169 1864
W: TheFA.com