

FA NATIONAL SERIOUS CASE PANEL  
CONSOLIDATED DISCIPLINARY COMMISSION

CHAIR SITTING ALONE

*on behalf of Berkshire & Buckinghamshire and Surrey Football Associations*

NON-PERSONAL HEARING

*of*

**Matthew Jones**

Virginia Water FC

[Case ID: 11567812M]

Consolidated with

**Virginia Water FC**

[Case ID: 11567639M]

&

**Risborough Rangers FC**

[Case ID: 11567375M]

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THE DECISION AND REASONS OF THE COMMISSION

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## Introduction

1. On 01 October 2023, Virginia Water FC First ("Virginia" the "Home Club"), played a Combined Counties Football League & Youth Cup Premier Division North fixture against Risborough Rangers FC First ("Risborough", the "away club") – collectively the "match".
2. Following the fixture, the Match Referee submitted an Extraordinary Incident Report regarding alleged misconduct that took place during the fixture.
3. Berkshire and Buckinghamshire Football Association ("Berks & Bucks FA") and Surrey Football Association ("Surrey FA") investigated the reported incidents.

## The Charges

4. On 22 January 2024, Surrey FA charged Matthew Jones;
  - 4.1. with misconduct for a breach of FA Rule E3 – Improper Conduct (including foul and abusive language) **Charge 1**;
  - 4.2. And a further charge for a breach of FA Rule E3.2 - Improper Conduct - aggravated by a persons Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Gender Reassignment, Sexual Orientation or Disability **Charge 2**;
  - 4.3. It is alleged that Matthew Jones used abusive and/or indecent and/or insulting words or behaviour contrary to FA Rule E3.1, and it is further alleged that this is an aggravated breach as defined by FA Rule E3.2 because it includes a reference to Ethnic Origin. This refers to the comment(s) *"Any chance you can speak English"* or similar.
  - 4.4. Surrey FA advised in the charge letter that the range of sanction for this offence is 6-12 matches. 6 matches is the standard minimum, a Commission may impose a suspension in excess of 12 matches where there are significant aggravating factors. A participant found to have

committed an aggravated breach will be subject to an education programme.

4.5. The relevant section of FA Rule E3 states<sup>1</sup>:

*“E3.1 A Participant shall at all times act in the best interest of the game and shall not act in any manner which is improper or brings the game into disrepute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.*

*[...]”*

5. In consolidation on 22 January 2024, Surrey FA charged Virginia Water FC;

5.1. with misconduct for a breach of FA Rule E20 – Failed to ensure directors, players, officials, employees, servants, representatives, conduct themselves in an orderly fashion whilst attending any Match;

5.2. It is alleged that Virginia Water failed to ensure that directors, players, officials, employees, servants, representatives attending any match do not behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting, or provocative contrary to FA Rule E20.1. This refers to the allegation that a mass confrontation occurred between both sets of players and/or officials, or similar.

5.3. This offence carries the sanction of a fine up to £400.

5.4. The relevant section of FA Rule E20 states<sup>2</sup>:

*“E20 Each affiliated Association Competition and Club shall be responsible for ensuring:*

*E20. 1 “that its directors, players, officials, employees, servants, representatives, spectators, and all persons purporting to be its supporters or followers, conduct themselves in an orderly fashion and refrain from any one or combination of the following: improper, violent, threatening, abusive, indecent, insulting or*

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<sup>1</sup> p. 143 of FA Handbook

<sup>2</sup> p. 148 of FA Handbook

*provocative words or behaviour”*

*[...]”*

6. In consolidation on 22 January 2024 Berks & Bucks FA charged Risborough Rangers FC;

6.1. With a breach of FA Rule E20 - Failed to ensure directors, players, officials, employees, servants, representatives, conduct themselves in an orderly fashion whilst attending any Match;

6.2. It is alleged that Risborough Rangers failed to ensure that directors, players, officials, employees, servants, representatives attending any match do not behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting, or provocative contrary to FA Rule E20.1. This refers to the allegation that a mass confrontation occurred between both sets of players and/or officials, or similar.

6.3. This offence carries the sanction of a fine up to £400.

6.4. The relevant section of FA Rule E20 states<sup>3</sup>:

*“E20 Each affiliated Association Competition and Club shall be responsible for ensuring:*

*E20. 1 “that its directors, players, officials, employees, servants, representatives, spectators, and all persons purporting to be its supporters or followers, conduct themselves in an orderly fashion and refrain from any one or combination of the following: improper, violent, threatening, abusive, indecent, insulting or provocative words or behaviour”*

*[...]”*

7. Berks & Bucks FA and Surrey FA included within each charge letter the evidence that they intended to rely on in each case.

8. The response for each individual case was due by 05 February 2024.

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<sup>3</sup> p. 148 of FA Handbook

### **The Reply**

9. The responses are as follows;
  - 9.1. For Case **11567812M** the E3.1/E3.2 charges against Matthew Jones, a response was received on 31 January 2024, denying the charges and requesting they be dealt with by correspondence.
  - 9.2. For Case **11567639M** the E20 charge for Virginia Water FC, a response was received on 01 February 2024, accepting the charge and requesting it be dealt with by correspondence.
  - 9.3. For Case **11567375M** the E20 charge for Risborough Rangers FC, a response was received on 22 January 2024, accepting the charge and requesting it be dealt with by correspondence.
10. During the investigation, evidence was submitted from:
  - 10.1. Reports and information from the Match Official;
  - 10.2. Statements from Virginia Water FC;
  - 10.3. Statements from Risborough Rangers FC;
  - 10.4. VEO Footage.

### **The Commission**

11. The Football Association ("The FA") appointed me, Steve Francis, as a Chair member of the National Serious Case Panel, to this Discipline Commission as the Chair Sitting Alone to adjudicate in these cases.

### **The Hearing and Evidence**

12. The case bundle was sent via e-mail to the appointed Chair 02 February 2024 to be completed within 3 working days.

13. I adjudicated this case on 03 February 2024 as a consolidated correspondence hearing.
14. The following is a summary of the principal submissions provided. It does not purport to contain reference to all the points made. However, the absence in these reasons of any particular point, or submission, should not imply that we did not take such point, or submission, into consideration when we determined the matter. For the avoidance of doubt, we have carefully considered all the evidence and materials furnished with regard to this case. Where possible names have been removed from the evidence presented in the case bundle.
15. The case bundle begins with the Extraordinary Incident Reports from the Match Official, dated 03 December 2023, this contains the following allegations;
  - 15.1. In the 56th minute of the game the Referee was approached by a Risborough player who made an allegation of a racist comment made towards them. Neither the Referee or the Assistant Referees had heard this comment however, he called over both teams' captains and managers and explained what had been said and what would need to be done post-match. The Risborough captain spoke with his players who confirmed they were content to continue and the match was completed with no further issues.
  - 15.2. After the game he allowed 5 minutes for teams to *"compose themselves and then invited them into the changing rooms"*. The Risborough player alleged Matthew Jones *"had said "any chance of you speaking fucking English" with his reply of "you've said what", this then lead to a mass confrontation happening and a 10 minute delay to the game"*.
16. The case bundle then contains the statements from Risborough, these begin with the player allegedly abused which provides the following;
  - 16.1. It was during a break in play when a player was receiving treatment, other players had converged to assess the situation and he found himself having a conversation with an opponent. During this conversation the Victoria

goalkeeper came out of their area *"Whilst trying to understand why the keeper was so far out of his goal and laughed it off I assumed he got sensitive about it and he said to myself "Is there any chance of you speaking English" I then asked him "what did you say" twice and one of my teammates had then confronted his comment drawing his attention away from me then creating a huddle of players squabbling and tussling around involving myself"*.

- 16.2. He then approached the Referee *"in anger about what had been said trying to get him to understand as before that the referee told me during the game to no longer approach his due to me continuously questioning him but he could see in the situation I had a serious concern"*.
17. The next is from the Risborough captain and adds the following regarding the allegations raised in the Referee's report;
- 17.1. He was stood with the Referee and a team mate who he believed was about to be dismissed for a second caution when *"a scuffle broke out behind me between a teammate of mine and several of their players. I then got involved to try and prevent further commotion as their goalkeeper was loud and attempting to go back in for a second attempt"*. Once this had calmed the Referee dismissed the Victoria goalkeeper when he heard his player *"explaining what had been said to the ref and by who, so I asked him what was said, the goalkeeper had said "he should speak f\*\*\*\*g English". I said to the ref that it needs dealing with. The ref explained he had sent their goalie off for violent conduct"*.
- 17.2. He confirms the actions as described by the Referee of being called in with members of the opposition and of the post-match actions where the Referee would like to speak with them. At this point there was a further confrontation *"between our players and their bench which I went over to try and calm. After which the ref called me back in with both managers and their captain for more explanations and what was to happen after the game"*.
- 17.3. He was then asked if he could speak with his team to decide if they were to continue *"During the game sometime after the incident, I said something after*



*a foul. A defender, number 6 (I think, can't be 100% sure on number) said "common, he didn't mean it like that". After the game concluded we went to the refs changing room so he could take [redacted] statement and explain what happens next".*

18. The next statement is from another player in the fixture, they provide the following observations;

18.1. They note the dismissal of their player and the approach of the Victoria goalkeeper to the halfway line *"It was all standard until he had an exchange with another of our player [redacted]. As he spoke with [redacted], he then said to him that he couldn't Understand him. He then asked him to speak English, which I perceived to be a racial slur. He had previously spoken to the white players but didn't make this remark until he spoke to the black player".*

18.2. This led to the witness to become *"incensed and reacted with frustration and anger, and confronted him for being racist. I pointed that he hadn't said it to any of the white players previously, and that was not an innocent comment. I had a few words with him before proceeding to leave the vicinity and walk to the opposite side of the pitch."* His colleague was *"visibly upset after the game and had to be consoled"*.

19. The final Risborough statement, from a team official, contains the following;

19.1. This too confirms the dismissal of their player and the approach of the goalkeeper which led to a confrontation. He did not hear what was said but was informed afterwards by the team captain of the alleged racial remark to a Risborough player. Having decided to continue the game, the Referee then approached both managers *"to explain there had been an alleged racist remark of which he would need to report"*.

19.2. The witness was one of those who saw the Referee after the fixture where his player explained what had happened *"the referee took note and said he would report the incident. After this [redacted] got extremely upset needing some time on his own before joining his teammates"*. They also note a further

issue post-match in the bar area where a Victoria club official was *“trying to dumb down the incident saying he was called names because he is Welsh. We later found out the Goalkeeper accused is in fact his son”*.

20. The case bundle then moves onto the statements provided by Victoria, these begin with one from a team official dated 12 December 2023 and states;

20.1. They allege the Referee to have been surrounded by 3 or 4 opposition players for every decision they had made for Victoria; the Referee was questioned on this at half time by a different team official when the Referee did confirm it would be stopped in the second half. The statement then mentions the incident that led to the second caution and dismissal of a Risborough player.

20.2. As the Victoria player was receiving treatment their goalkeeper had retrieved the ball and hand taken it to the players on the halfway line. As both sets of players started to *“huddle around our GK came out of the huddle in pain holding his mid area where it was apparent the Risborough [redacted] had done something to hurt our GK”*. They believe this to have been a tactic to even up the team numbers following the dismissal.

20.3. They note a Risborough player to be disgruntled and another opposition player was pushing their goalkeeper away when *“melee of a group of both players happened and from the technical area couldn’t really see what had happened but at no point did a red card brandished or if so it could of also been brandished for the Risborough players. After watching the video evidence I was even more shocked that our GK had been sent off and looked like he had been completely set up”*. They feel two Risborough players should also have been dealt with but no action was taken.

20.4. As the goalkeeper left the field of play *“the Risborough other centre half could not let him walk past without saying something and then followed up by shouting abuse at our coach. Once things calmed down the referee called both myself and the Risborough manager onto the pitch. He then told us that there was an allegation of racial abuse during the melee. He said he had to make us aware and*

*the game would carry on but would gather statements and ask to speak to us after the game”.*

- 20.5. At the end of the game, they allege an opposition player *“was still hurling abuse at one of my coaches so we tried to get everyone inside the changing room and calm down. The referee then called myself and my captain into the officials changing room with the player from Risborough no20 who was alleged to be called something racial with the Risborough manager and captain”*. The statement also lists the players involved and the incident had taken place near to the halfway line.
21. The next statement, also dated 12 December 2023, is from a Victoria player and provides the following;
- 21.1. Following the challenge on their player, the next thing they recall is *“an opposition player (short, black skin) started walking towards our keeper accusing him of being racist. Our keeper was denying it. I was aware that our keeper had been talking in the direction of the referee but wasn’t paying any attention so was surprised by what the Risborough player was saying. I watched on without saying anything”*. As the rest of the opposition players became aware they *“all surrounded our keeper aggressively. At this point I made some attempts to pull their players away”*.
- 21.2. They note they would not be confident to add any specific words or comments made *“as I cannot remember and wouldn’t want to speculate especially after hearing others’ versions of events which may have distorted my memory considering it was over a week ago”*.
22. The next entry is from another player and is dated 14 December 2023, and states;
- 22.1. Following the foul on their player which led to the second caution *“all the risborough players gathered round the ref to try and tell him that it wasn’t a second booking. Matt Jones our goalkeeper was standing over the ball by the half-way line getting ready to take the free kick which was by the referee. One of our players were trying to talk to the referee when a risborough started being rude to [redacted] our number 7”*.

- 22.2. The Risborough player was *“trying to say something but he was mumbling his words so we couldn’t understand him and that’s when Matt Jones our goalkeeper said “you’re mumbling, speak proper English”. The player that Matt Jones said that ti didn’t say anything back and walked away until risborough number 11 walked over to Matt Jones and said “what is that supposed to mean” then shoved Matt Jones”*.
23. The next statement is from Matthew Jones, dated 11 December 2023 this adds their recollection of the incident as follows;
- 23.1. Referring to the video evidence provided he had walked to the halfway line to speak to his colleagues with the ball in his hands. One of the Risborough players approaches the Referee *“began speaking in a slang language (referring to the referee as a ‘wasteman’) and continued to mumble as he walked away from the referee. I then asked the player to “speak proper English” as nobody in the area could understand what he was saying, but we could gather he was being abusive toward the referee (not for the first time in the game, as the video evidence will support, and he had been spoken to a few times)”*.
- 23.2. He then adds *“In NO way was this aid in a discriminatory nature and it didn’t even cross my mind!”*. The player he spoke to did not react, the only individual that did was a Risborough player *“who entered the melee from 20 yards away, clearly too far to even hear anything said. Following this I was approached by the opposition (No 11), again clearly too far away to comment or hear anything, and in a blatant attempt to get me sent off, he punched and grabbed my testicles, for which I received a red card for an alleged headbutt, which simply did not happen. We have the video and photographic evidence to support this”*.
- 23.3. He recalls a Risborough player threatening to leave the field of play before another player shouted *“we are on top now, let’s keep playing”*. Matthew Jones spoke with the Match Officials after the game *“they also confirmed to us all, they had no issue with what was said and could not understand the player either. As someone with a good disciplinary record and a background playing in diverse teams over the last 20 years, I can assure you (and any player concerned)*

*my comment was simply to tell the player to respect the referee and speak to him in an appropriate manner".*

24. The next statement is from a player who was close to the alleged incidents, the date is not visible on the statement in the case bundle and they add the following;

24.1. They saw a Risborough player had *"confronted the referee aggressively then turned round to us and carried on mumbling and spitting in frustration. A couple of us players laughed and our goalkeeper said 'speak proper English'. Not one of their players or our players thought anything of it apart from number 20 who decided to play the race card"*. There followed a mass brawl where they allege a player *"grabbed our goalkeepers testicles"*.

24.2. They also deny any headbutt from Matthew Jones and believe *"the referee just thought it was an easy way out to send him off. Not only have we been unfairly accused of discriminating behaviour but we have now lost a key player for 3 games due to unjust reaction by the risborough players"*. They believe all the Virginia players tried to diffuse the situation and the video provided shows *"the aggression towards all of us from risborough"*.

24.3. The statement also mentions the allegation of a Risborough player verbally abusing and threatening their coaching staff *"for something he hadn't heard or had no idea what it was about. Complete thug behaviour and yet still decided to take matters into his own hands after the game in the clubhouse, where he threatened the whole Virginia water team and the chairman. Talks of abandoning the game, however I overhear talks of them now having the upper hand in the game so they decided to play on. Do you not think if their reaction to the comment was genuine, they would've left the pitch and refused to play"*.

25. The next statement is from a club official at the fixture and is dated 12 December 2023, this provides the following details;

25.1. They recall what they describe as an *"horrific challenge"* which led to the second caution; as their player was being treated both sets of players gathered round. The Victoria goalkeeper *"ambled"* toward the area *"calmly bouncing the ball etc., not in any way in a confrontational or aggressive manner."*

*From this point came the 'gamesmanship' from the opponents' senior players. Three of their players surround the referee in an attempt to speed up the game and prevent their player from being sent off".*

- 25.2. A number of their players *"hurling, what can only be described as 'street slang' language at the referee, which neither he nor our players clearly heard or understood, hence our player merely asking for him to clarify in proper English. In no way was this meant in a discriminatory way and will be endorsed in the statements provided by the Virginia Water players"*. This led to the mass confrontation which was started by players who were 20 yards from the initial exchange.
- 25.3. They too recall the goalkeeper having their genitals pulled which was not seen by the Referee and Matthew Jones being dismissed for a headbutt although there was no contact *"in fact the aggressive head movement was made by the Risborough Captain"*. After the game the Referee confirmed *"he was approached by the Risborough player, but likewise could not understand him or hear him clearly"*.
- 25.4. They provide their background and add *"I am not English, and during my tenure as Frist Team Manager at VWFC, and even in my current role as Director of Football, I regularly get shouted at but opposing players, management and officials to speak English, given my diction and accent, and never take this offensively or in a derogatory matter. VWFC totally deny this claim, and give an assurance that what was allegedly said two weeks ago was in no way meant in a discriminatory way"*.
- 25.5. The statement also notes *"Spoke with referee, linesmen and assessor after the match, who like us, confirmed nothing was understood, heard, or considered out of order"*.
26. The final statement from Victoria is dated 12 December 2023, this adds the following;

- 26.1. As the Risborough player was being dismissed for the second caution his team mates were surrounding the Referee, during this Matthew Jones walked up to get the ball and speak to his colleagues. A player from Risborough then *"began calling the referee a "wasteman", he then began mumbling slang words and what I believe are further insults under this breath as he walked away. Our keeper told him to "speak proper English" as he was insulting the referee and mumbling his words"*.
- 26.2. The player Matthew Jones had made the comment to did not react until a second Risborough player *"ran over claiming what was said was "racist". Following this accusation the Risborough players surrounded our keeper, one of them grabbing his genitals, I believe this was number 11 from memory. Once the "situation" had been "split" up, the referee showed our keeper a red card for what he said was a headbutt, I do not believe a headbutt was done by any of the players so this was surprising"*.
- 26.3. They confirm the threat to leave the field of play by the Risborough team *"before one of their players shouted that they are on top and we are scared. On a personal note I do not believe anything said was meant in a bad way, it was clearly said because the player was using slang words and insulting the referee"*.
27. On 15 December 2023 a club official from Virginia e-mailed Surrey FA regarding the charge, this includes a link to the VEO footage and adds the following;
- 27.1. They begin wishing to affirm *"we at Virginia Water FC are a fully inclusive club and that we welcome, and respect, players, parents, supporters and sponsors of all race, faith, age and sexual orientation. The alleged accusation disappoints us and we categorically refute this accusation"*. Included with the link to the footage the club add *"I suggest you do watch the full game to view the tone and behaviour of both sides during the game. If you go to 75min mark in the footage it will take you to the build up of the Sending off offence which was the catalyst for the incident"*.
- 27.2. They will also be supplying a further 5 witness statements. They also note their belief *"this incident occurred as a result of "pure gamesmanship" from*

*players at Risborough Rangers due to the fact they were going down to 10 men following the dismissal of their player (no.16) and the accusation of discriminatory abuse was made by a player, who was some distance away, reacting to hearing one word and not the full context of what was said”.*

28. The VEO footage provided 141 minutes 48 seconds in length with audio, as there is a specific allegation, the Commission have only viewed the portion of the footage that is relevant to the charges raised. The interactive mode of the VEO footage has been used and this shows the following;

28.1. The initial challenge that led to the second caution takes place at 75 minutes 26 seconds, as the Referee blows his whistle, three Victoria players immediately surround him before being joined by two more. The Referee and players quickly indicate for medical support for the player. At the point of the challenge Matthew Jones is stood close to the penalty mark in his own penalty area and immediately begins walking towards the opposition half. He then deviates towards the ball and collects this before continuing to move to the halfway line.

28.2. At 75 minutes 48 seconds the Referee asks all to “walk away” from the incident. There are a few Risborough players present, whilst they seem to engage with the Referee, they are not challenging him at this point. For the next 20-30 seconds a number of players are in the area but they are stood still, a Victoria player is talking to the Referee and there are 13 players close by of which 7 are from Risborough.

28.3. At 76 minutes 03 seconds Matthew Jones has reached the halfway line and continues towards the area where the other players from both teams are located; he stands close to the group at 76 minutes 17 seconds holding the ball. The Risborough number 5 starts to move his players away at 76 minutes 13 seconds. The referee has moved away from the group and has called the offender towards him and he is joined by a second Risborough player. The offending player moves past Matthew Jones, who appears to



offer a consolidatory pat on the back; this is not in any way confrontational and there is no reaction from the Risborough player.

- 28.4. At 76 minutes and 35 seconds the Referee has moved clear of the injured player and has called the offending player towards him, a second Risborough player has also joined them; Matthew Jones is a few yards away from them. The number 5 for Risborough has moved over to stand with the group around the Referee; all have neutral body language. Shortly after at 76 minutes and 44 seconds Matthew Jones can be seen speaking to the Risborough player on the edge of this group, number 20, the phrase "*Speak proper English*" although faint can be discerned.
- 28.5. At this point a second Risborough player who is stood around 5-6 yards away turns and walks towards Matthew Jones who steps towards the opposing player. They are in very close proximity and begin pushing each other; other players move over including the player allegedly abused. At 76 minutes 53 seconds Matthew Jones can be seen leaving the group of players and is bent over, he then moves around the group jumping in apparent discomfort whilst holding his groin area.
- 28.6. At 76 minutes 57 seconds he re-engages with the Risborough player pushing them with two hands; by this point other players have become involved. This lasts 3 seconds before Matthew Jones leaves the group and moves towards the Referee who backs away. At 77 minutes 05 seconds the melee resumes with the Risborough number 5 face-to-face with Matthew Jones. Their faces appear to be very close for a number of seconds, by 77 minutes 21 seconds this has calmed down. As Matthew Jones leave the group, he does push another Risborough player, number 6, with his chest.
- 28.7. As the melee resumes at 77 minutes 05 seconds a Risborough player number 20 can be seen approaching the Referee and is soon joined by a second player who is pointing towards the melee. The Referee dismisses Matthew Jones, showing the red card on 77 minutes 33 seconds. At this

point 4 Victoria players surround the Referee. The Risborough number 5 approaches the Referee at 78 minutes 18 seconds alongside the Risborough number 20 and they have a short discussion.

- 28.8. At this point Matthew Jones, having remained in the centre circle begins to make his way off the field of play but stops and engages with a Risborough player. Whilst doing this he removes his gloves and shirt to pass on to his colleague that is taking his position. He then returns to the Risborough player and speaks with them; the Risborough number 15 can be seen to approach him. It is likely words are exchanged which results in them both becoming involved in a further confrontation when Matthew Jones pushes the number 15 to the floor at 79 minutes 02 seconds before walking to the side of the field of play and on to the changing facilities.
- 28.9. At 79 minutes 49 seconds the Referee can be heard calling both managers over to speak with them. As he is doing this a member of the technical area for Victoria engages with a Risborough player, the Assistant Referee places themselves between them as an argument ensues. This leads to more players coming over to calm the situation. The number 5 for Risborough speaks to the member of the Victoria technical area. At 81 minutes 27 seconds on the far side of the field of play a player from Risborough engages with persons unknown on and a second Risborough player runs over.
- 28.10. At 81 minutes 39 seconds the Referee is also moving across as well as a third Risborough player, due to the distance nothing can be heard and the picture quality does not allow for a clear understanding of what is taking place. At 81 minutes 54 seconds the Referee is ushering the three players away as the number 5 for Risborough moves across to assist. At 83 minutes and 47 seconds the Referee speaks to the home technical area and is pointing towards the area where the unidentified persons are located. At 84 minutes 49 seconds the game resumes.
29. That concluded the relevant evidence in the case.

### Standard of Proof

30. The applicable standard of proof required for this case is the civil standard of the balance of probability. This standard means, we would be satisfied that an event occurred if we considered that, on the evidence, it was more likely than not to have happened.

### The Findings & Decision

31. For case **11567639M** the E20 charge for Victoria Water FC, a response has been received accepting the charge. The Commission are satisfied the threshold for the charge has been met and have found the case as **Proven by Admission**.
32. For case **11567375M** the E20 charge for Risborough Rangers FC, a response has been received accepting the charge. The Commission are satisfied the threshold for the charge has been met and have found the case as **Proven by Admission**.
33. For case **11567812M** the E3.1/E3.2 charge of Improper Conduct including an aggravated comment for Matthew Jones, the allegation is of the term "*any chance you can speak English*" or similar being used. This is supported by other members of Risborough and has then led to a confrontation. It is also alleged the player allegedly abused has needed to be consoled after the game had finished. Whilst the use of the term "*speak proper English*" has been admitted to being used by Matthew Jones, this is in the context of the player using slang and mumbling and was not due to the heritage of the Risborough player.
34. On the video footage provided the term admitted to by Matthew Jones, although this is faint, can be heard. Both players from Risborough involved do react and the first to confront Matthew Jones is only 5-8 yards away and not the 20 yards as alleged in some statements. It is only once the other player has become involved with Matthew Jones the player who was the recipient of the alleged abuse becomes involved. It is accepted the Risborough players have reacted strongly to the words used and it is clear they have taken offence at what has been said.

35. The words they have believed to have heard would be considered to be aggravated however the words that were used, as evidenced on the VEO footage, if used in the context as stated by Matthew Jones would not be considered to have been said due to the Ethnic Origin of the Risborough player. The statements from the other Victoria players that were close to the incident do support the assertion the player was not speaking clearly and was using slang terms.
36. The Commission have found, on the balance of probability, it is more likely than not the term used by Matthew Jones was meant in the context they have stated and not as a result of the Ethnic Origin of the player allegedly abused. Therefore **Charges 1 & 2** have both been found as **Not Proven**.

### Previous Disciplinary Record

37. Virginia Water FC have 3 (three) teams, their five-year offence history contains the following misconduct charges relevant to this offence;
- 37.1. 05 April 2022 E20 (U18) sanction £70.
38. Risborough Rangers FC have 3 (three) teams, their five-year offence history the following misconduct charges relevant to this offence.
- 38.1. 07 September 2019 E20 Aggravated (Open Age) sanction £165;
- 38.2. 13 May 2021 E20 (U18) sanction £45;
- 38.3. 13 December 2021 E20 (U18) sanction £65.

### Mitigation

39. As cases **11567639M** and **11567375M** have been accepted the "*credit for a guilty plea*" can be considered.

### The Sanction

40. For case **11567639M** the E20 charge for Victoria Water FC, the sanction range for this offence is;
- 40.1. Fine up to £400

41. This offence includes taking part in a number of confrontations during the same incident including members of the technical area involved in arguments with opposition players. The Commission considered both parties involved to be equally responsible for the incident, and had placed the sanction at the upper end of the mid-range section of the guidelines at £200. Having considered the acceptance of the charge and offence history, containing a single previous similar charge, as mitigation, the sanction will be;
- 41.1. Fined a sum of £150;
- 41.2. Warned as to future conduct.
42. For case **11567375M** the E20 charge for Risborough Rangers FC, the sanction range for this offence is;
- 42.1. Fine up to £400
43. This offence includes taking part in multiple confrontations between players including players becoming involved in heated exchanges with the opposition technical area staff. As previously stated, the Commission considered both parties involved to be equally responsible for the incident, and in parity had placed the entry point at the upper end of the mid-range section of the guidelines at £200. Having taken into account the early acceptance of the charge on the date it was issued, when considering the offence history this contained three similar proven charges, the sanction will be;
- 43.1. Fined a sum of £160;
- 43.2. Warned as to future conduct.
44. The decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Signed...

**Steve Francis** (Commission Chair)

03 February 2024