

**THE FOOTBALL ASSOCIATION**  
**REGULATORY COMMISSION**  
**IN RESPECT OF CONSOLIDATED CHARGES FOR A BREACH OF RULE E20**  
**CHESTERFIELD FC & WALSALL FC**

1. These are the written reasons in regard to a Commission decision, made on Thursday 14<sup>th</sup> April 2016.
2. The Commission members were, Major (Retd) W T E Thomson (Chairman), Mr. A Neville and Mr. A Knight.
3. Mr. P McCormack, of The Football Association Judicial Services department, acted as Secretary to the Commission.
4. Arising from a League 1 fixture between Chesterfield FC and Walsall FC on 12<sup>th</sup> March 2016, the details of the respective Charges of alleged breaches of FA Rule E20(a) were as follows:

*Misconduct for a breach of FA Rule E20 (a), it is alleged that in or around the 57<sup>th</sup> minute of the fixture, Chesterfield FC failed to ensure that its players conducted themselves in an orderly fashion.*

*Misconduct for a breach of FA Rule E20 (a), it is alleged that in or around the 57<sup>th</sup> minute of the fixture, Walsall FC failed to ensure that its players conducted themselves in an orderly fashion.*
5. The Charge against Chesterfield was deemed 'Non-Standard' due to the proximity of the incident to the crowd, the actual incitement of the crowd, the involvement of stewards, and Chesterfield had been charged with a breach of FA Rule E20 (a) in the preceding 12 months. The Charge by The FA relied on the evidence of an Extraordinary Incident Report from Mr. R Joyce, Match Referee, and an Official Report Form For Assistant Referees from Mr. T Nield, and video evidence. Mr. Joyce reported that in or around the 57<sup>th</sup> minute following a goal being scored an incident occurred in the penalty area involving several players from both teams.
6. The Charge against Walsall FC was deemed 'Non-Standard' due to the proximity of the incident to the crowd, the actual incitement of the crowd, the involvement of stewards. The Charge by The FA relied on the evidence of an Extraordinary Incident Report from Mr. R Joyce, Match Referee, and an Official Report Form For Assistant Referees from Mr. T Nield, and video evidence. Mr. Joyce reported that in or around the 57<sup>th</sup> minute following a goal being scored an incident occurred in the penalty area involving several players from both teams.

7. Chesterfield Town FC pleaded not guilty to the charge, and requested a personal hearing. Walsall FC denied the charge and did not request an opportunity to attend a personal hearing. They did however submit correspondence to be put before the Commission.
8. The Football Association was represented by Mr. T Day (Counsel for the FA) and they had two witnesses Mr. R Joyce (Match Referee) and Mr. T Nield (Assistant Referee)
9. The Match Referee Mr R Joyce stated that he had been a match official for 15 years. During the incident as reported he had cautioned three players. The game had been played in a good spirit, however after the goal had been scored, there was a coming together of both sets of players. Mr Joyce was asked to view the video evidence, on viewing the video, Mr Joyce stated that he may not have seen all of the incidents that had occurred on the day that were now showing on the video. In particular the action of Chesterfield player No 24.
10. The FA then called on the Assistant Referee Mr T Nield. Mr Nield stated that when the goal was scored the Walsall players moved towards the goal line. The Chesterfield No 4 got caught up in the celebration; however, he believed that there was occasion when the No 4 could have broken away from the celebration. Mr Nield was asked to view the video evidence; he was further asked if he noted any other incidents that could have resulted in misconduct, in particular the actions of the Chesterfield No 24, who is seen to be pushing his hand into the face of a Walsall player. Mr. Nield did not believe had he seen the incident he would have reported it.
11. Chesterfield Town was represented by Mr. C Turner (CEO) and they had one witness Mr. D Wilson (Manager) Mr. Wilson stated that he had been “gutted” at conceding the goal. He went on to say that the coming together was totally unavoidable and could not understand why it had continued for so long. Mr Wilson was asked if he believed his player No 4 could have got out of the way, he replied “impossible”. Mr Wilson was asked why the arms of player 4 were raised. He replied what else could he do, he has no choice but to raise his arms. He further stated that his players went in to assist the No 4 and to get him out of the situation; they were there to break up the incident and not get involved. Mr Wilson said the players involved from Chesterfield, were mild mannered and did not look for confrontation. Mr Wilson was also concerned at the proximity of where the incident was taking place. Mr Wilson was asked to view the video, in particular the actions of the Chesterfield No 24, who is seen to be pushing his hand into the face of a Walsall player. Mr Wilson replied that he would not condone that behaviour. Mr Wilson was asked if he had seen this type of incident before and was it a regular occurrence in football. He replied NO, he had not seen anything like this during his 40 years in the game.
12. Walsall FC made the following points in writing in rebuttal of their charge. At no time did any Walsall players leave the field of play. At no point do Walsall players encourage any kind of pitch encroachment and no encroachment takes place. There was no incitement of the crowd and that the goal celebration took place on the Field of play.

They did not believe that Walsall players failed to conduct themselves in an orderly fashion, they had in fact attempted to diffuse any mass confrontation. They have an excellent disciplinary record and have for two consecutive seasons been awarded the League one Fair Play award. The game at that point had passed without incident and there were no further incident in the game. They did not believe any Walsall players acted improper, violent, threatening, abusive or in an indecent manner and no encroachment took place on the pitch.

## **Determination**

- a. The burden of proof was on Mr. T Day on behalf of The FA to prove the charge. The Commission when considering whether a charge is found proven or not, uses the 'balance of probability'.
- b. The Commission considered all the evidence, written and oral submissions and in particular the video evidence.
- c. The video evidence clearly showed the incident, as reported in both the Referee and Assistant Referee reports.
- d. The Commission noted the definition of a mass confrontation as set out in the 2015-16 Guidance to Participants document, which reads as "where two or more players and/or club officials from a team are involved in a confrontation with opposing players and/or club officials.
- e. The Commission therefore on considering all the evidence, on the balance of probability found the charge against Chesterfield Town FC and Walsall FC proven.

## **SANCTION – Chesterfield Town FC**

13. The Commission members were conscious this charge had been designated as non-standard.

The standard penalty for a denied but subsequently found proved E20 breach in League 1 is £3,750. This was not designated a standard case, therefore, we had discretion as to the appropriate penalty to impose. The Commission members were conscious that the maximum fine for a non-standard offence of this nature under the guidelines was £25,000.

This was the Club's second breach of FA Rule E20 in the current and preceding five seasons, the details of which are outlined below. The Commission in particular noted the breach as recent as May 2015. This history was clearly an aggravating factor.

- November 2011: Fined the sum of £2,500
- May 2015 Fined the sum of £2,500

Having given all the evidence, submissions, Chesterfields mitigation and relevant FA Rules & guidelines due consideration, and their previous record, the Commission ordered that Chesterfield Town FC be fined the sum of £6,500 and severely warned as to their

future conduct. The Club was also ordered to make a contribution of £500 to the cost of the personal hearing.

### **SANCTION – Walsall FC**

14. The charge against Walsall FC had been designated as non-standard.

The standard penalty for an admitted E20 breach in League 1 is £3,750. This was not designated a standard case, therefore, we had discretion as to the appropriate penalty to impose. The Commission members were conscious that the maximum fine for a non-standard offence of this nature under the guidelines was £25,000.

Having given all the evidence, submissions, relevant FA Rules & guidelines due consideration, Walsall FC mitigation and their previous record, the Commission ordered that the Club be severely warned as to their future conduct and fined the sum of £6,500.

15. There is a right of appeal against the above decisions in accordance with FA regulations.

W T E Thomson

Chairman

15<sup>th</sup> April 2016