

**THE FOOTBALL ASSOCIATION
REGULATORY COMMISSION
DECISION & WRITTEN REASONS**

**IN THE MATTER OF DISCIPLINARY PROCEEDINGS BROUGHT AGAINST
NOTTINGHAM FOREST FC**

**FOOTBALL LEAGUE CHAMPIONSHIP
BRENTFORD FC V NOTTINGHAM FOREST FC
SATURDAY 21ST NOVEMBER 2015**

Members of the Commission comprised:-
Mr. BARRY W. BRIGHT - CHAIRMAN
Mr. S. TURNER
Mr. G. MABBUTT

Mr. P. McCormack – Judicial Services Manager of The Football Association acted as
Secretary to the Commission

Commission held at 1:30pm Tuesday 1st December 2015 via video conference

1. By a letter dated the 24th November 2015, NOTTINGHAM FOREST FC (“NFFC”) was charged with misconduct for a breach of FA RULE E20(a) in that it was alleged that in the 71st minute of the above fixture NFFC failed to ensure that its players conducted themselves in an orderly fashion.
2. The Football Association (“The FA”) designated the matter as a “*Non Standard Case*” as NFFC had been charged, and noted as proven below in these reasons, with a breach of FA RULE E20(a) in the preceding 12 months following a fixture against AFC Bournemouth on the 25th January 2015.
3. In addition to the aforementioned FA charge letter, the members of the Commission had before them:-
 - i. The Extraordinary Incident Report Form of the Match Referee, Mr. B. Malone
 - ii. The Extraordinary Incident Report Form of the Match Assessor, Mr. M. Tingey
 - iii. A Disciplinary Proceedings: Reply Form (NS) from NFFC
 - iv. One video clip of the incident submitted by The FA
4. By way of a response, dated 30th November 2015, under the hand of Miss Cheryl McCluskey of NFFC, a completed reply form (NS) was submitted which ADMITTED the charge but did not request to attend before the Commission for a personal hearing. NFFC therefore acknowledged that the matter would be dealt with at a paper hearing.
5. The members of the Commission noted the Extraordinary Incident Report Form of the Match Referee, Mr. B. Malone, in which he stated:-

“In the 71st minute of this match a mass confrontation occurred I had sent a home player from the field of play , I recorded no other incidents and want the incident to be reviewed further in case there is any further sanctions required .”
6. The Match Assessor, Mr. M. Tingey, stated in his Extraordinary Incident Report Form the following:-

“Following the dismissal of Brentford 6 (timed at 70:00 on the MOAS match footage), approximately 16 players became involved in a mass confrontation, as opponents sought to challenge and protect actions of Nottingham Forest 20 whilst he remained on the ground from the alleged initial act of violent conduct.

I invite The Football Association to review the incident, as no further disciplinary action was taken by the Match Officials (although the Referee consulted with AR2); particularly the actions of Nottingham Forest 23 as he appeared to have a central and aggressive role.”

7. The members of the Commission viewed the video clip of the incident several times and were satisfied that it clearly showed what had transpired and supported the views of the Match Referee and Match Assessor relating to a ‘mass confrontation’.
8. The members of the Commission were then much concerned to be informed that this was the third occasion over a 5 year period where NFFC had charges under FA Rule E20(a) proven against them, namely:-
 - i. 15th August 2010 v Leeds United FC (Non-Standard) – Fined £12,500
 - ii. 25th February 2015 v AFC Bournemouth (Standard) - Fined £5,000
9. The Commission noted from The FA’s Sanction Guidelines in relation to FA Rule E20 that £5,000 was the entry point for Championship clubs who admitted the charge and accepted the Standard Penalty. The applicable maximum fine permitted for Non-Standard cases being £50,000 for a single offence.
10. The members of the Commission carefully evaluated all the evidence, relevant rules & regulations, the admitted plea and the previous record of similar misconduct by NFFC. The Commission regarded the seriousness of ongoing proven charges in similar circumstances alongside the mass confrontation as unacceptable. The Commission, in particular, also considered the fact that this was NFFC’s second proven charge in twelve months and further noted the relevant FA Sanction Guidelines document. The Commission unanimously decided the proportionate penalty based on all the facts was to impose the following sanction:-
 - i. NFFC is fined the sum of £12,500
11. This decision is subject to appeal in accordance with the relevant provisions set out in the prevailing FA Rules and Regulations of the Association.

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BARRY W. BRIGHT
CHAIRMAN - 02 DECEMBER 2015