

Football Association Regulatory Commission (the 'Commission') in the matter of a charge brought against Tom Pope ('TP') of Port Vale FC ('PVFC') for a breach of FA Rule E3 in respect to media comments.

Regulatory Commission Decision

1. These are the written reasons for a decision made by an Independent Regulatory Commission which sat on Thursday 21st November 2019 via Webex video conference.
2. The Commission members were Mr. Stuart Ripley (Chairman), Mrs. Alison Royston and Mr. Udo Onwere, all three of whom are Independent Football Panel Members of the FA Judicial Panel
3. Mr. Paddy McCormack, the FA Regulatory Commissions & Appeals Manager, acted as Secretary to the Regulatory Commission.
4. The following is a summary of the principal submissions and evidence provided to the Commission. It does not purport to contain reference to all points made, however the absence in these reasons of any particular point, or submission, should not imply that the Commission did not take such point, or submission, into consideration when the members determined the matter. For the avoidance of doubt, the Commission has carefully considered all the evidence and materials furnished with regard to this case.

Background

5. TP is 34 years old. He is a professional footballer registered with PVFC. He is the Club Captain at PVFC.
6. Approximately an hour before 17:52, which was the time on the screen shot provided in evidence, on 30 Oct 2019 TP received a Twitter 'Tweet' from a Crewe Alexandra FC fan that read: *"How's them splinters in his arse from that bench? And his neck ache from looking up the table?"*. TP, the official PVFC Twitter account and the official Crewe Alexandra FC accounts were tagged in this Tweet.
7. At 17:23 on 30 Oct 2019 TP responded to the above post with the following Twitter 'Tweet': *"I had splinters in my arse last season, came on, got the winner and 3pts and really really enjoyed doing the double over you! Although I had mixed emotions as it's nothing to be proud of beating up kids! In saying that the kids were happy with the beating instead of a fuc.....[thumbs up emoji]"*
8. The FA wrote to TP on 7th November 2019 and asked for his observations on his 'Tweet'.
9. TP responded to The FA by way of a letter dated 12th November 2019. In the letter TP stated *"@Tom_Pope9 is my Twitter account and I wrote the post referenced in the FA's letter of 7 November 2019. The post was in response to a post from a Crewe Alexandra fan. The "beating up kids" is*

a reference to the relatively young age of the Crewe Alexandra First Team. I accept that on reflection the response as a whole was in poor taste and I would wish to apologise unreservedly for any offence caused to anyone....I did reflect that my post was in poor taste and I removed it very quickly, the post was only up for approximately 10 minutes. It was not my intention to cause any offence. I was an Academy player at Crewe Alexandra before being released and subsequently returned in 2005 for four seasons as a Professional. I have maintained a good relationship with the Management at Crewe and I have no issues whatsoever with anyone at the Club”.

10. On 14th November 2019 The FA charged TP with misconduct for a breach of FA Rule E3 in respect to media comments posted on his Twitter account on 30th October 2019. It was alleged that the comments made were abusive and/or insulting and/or improper and brought the game into disrepute contrary to FA Rule E3(1).

11. TP responded to the Charge on 19th November 2019. TP admitted the charge. He elected not to have a personal hearing and indicated his understanding that the charge would be dealt with at a Paper Hearing based on the content of the documents that had been served upon him.

The Hearing

12. With the Charge having been admitted by TP the only issue to be considered by the Commission was that of sanction.

13. The Commission noted that in April 2017 TP had received a formal warning from The FA following Twitter comments he had previously made in relation to another opposition player.
14. The Commission also noted that in June 2019 TP was fined the sum of £2000 by The FA following extremely insulting comments that TP made on the Twitter platform in relation to the wife of the Mansfield Town FC Chairman.
15. The Commission noted that TP is, at the age of 34, an experienced professional footballer.
16. The Commission also noted that TP is the Club Captain at PVFC, a position that carries added responsibility.
17. To his credit TP had admitted the charge, although the Commission noted that it would have been difficult for him to have done anything else but make an admittance given the circumstances.
18. The Commission also noted TP's apology within his letter dated 12th November 2019 and credit was given for this.
19. To the mind of the Commission the comments made by TP were wholly inappropriate, improper and particularly insensitive given the recent issues and controversies surrounding Crewe Alexandra FC and the Barry Bennell paedophile scandal, something that TP would certainly have been well aware of.

20. The Commission was concerned that, given his previous warning and fine in relation to Twitter comments, TP did not seem to be learning from previous sanctions relating to his activity on the Twitter forum.

21. As such, the Commission felt that the imposition of a sporting sanction, in the form of a one match suspension, and a significant financial penalty would be appropriate in the circumstances. The Commission hopes that such a sanction will be sufficient to focus the mind of TP as to his responsibilities when using social media platforms in future.

Summary of Sanction

22. The Player Tom Pope is:

- (i) Suspended from all domestic club football with immediate effect until such time as PVFC have completed one First Team competitive Match in an approved competition;
- (ii) Fined the sum of £2,600.

23. The decision is subject to any appeal as provided by the Regulations.

Stuart Ripley

Regulatory Commission Chairman

25th November 2019