

The Football Association Regulatory Commission

In the Matter of

The Football Association

Josh Jeffries (Frome Town FC)

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Reasons for Regulatory Commission decision Thursday 15th December 2016.

The Regulatory Commission members were Messrs Brian M. Jones (Chairman), Stuart Ripley and Kenneth Monkou appointed by The Football Association.

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

The hearing was conducted by WebEx on Thursday 15th December 2016.

The following is a record of the salient points which the Regulatory Commission considered and is not intended to be and should not be taken as a verbatim record of the hearing.

CHARGES:

By a letter dated the 1st December 2016 Josh Jeffries of Frome Town FC was charged with misconduct for two breaches of FA Rule E3 in respect of media comments posted on his Twitter account @JoshJeffries7 on 9th November 2016.

The detail of the charges is set out below.

Charge 1

It was alleged that the following comment, made by him, was abusive and/or insulting and/or improper and/or brought the game into disrepute contrary to Rule E3(1):

- "Absolute bunch of pricks!!! Trying to hang a bloke out to dry. And a good bloke at that!! Start by taking a look at yourselves

Charge 2

It is further alleged that a Re-Tweet he made of a post made by Nick Bunyard is improper and/or brought the game into disrepute contrary to Rule E3(1).

1. The Football Association relied on the following evidence:

- 1) Screenshot of comments published on Twitter account @joshJeffries7;
- 2) Letter from David Matthews of The FA dated 14th November 2016;
- 3) Email from Gary Collinson at Frome Town FC including Mr Jeffries response dated 16th November 2016.

HEARING:

- 2 The members of the Commission had before them a bundle of documents which they had read before convening and consisting of the above.
- 3 We reminded ourselves that the charge had been admitted at an early stage and by the Reply Form dated the 7th December 2016.

CONCLUSION:

4. We also reminded ourselves that the standard of proof is the civil standard of the 'balance of probability'. That means the Regulatory Commission is to be satisfied, on the available evidence that the incident was more likely than not to have occurred. Put simply we had to weigh up the evidence before us and decide which version was most probably true.
5. Therefore the charge under FA Rule E3 was proven.

MITIGATION:

- 6 We were pleased to hear that Mr Jeffries had no previous record of misconduct of this nature, for this he was given credit, but we noted that this is a most serious breach of FA Rule E3 especially as it disclosed an official document from a discipline hearing.
- 7 We considered the mitigation as contained in the letter from Mr Jeffries to the Club referred to above at paragraph 1(3).
- 8 His apology was noted.

SANCTION:

- 9 We were advised that the entry point for sanction for an FA Rule E3 offence on the touchline or in the tunnel at this level of football (Step 3) would be a sporting sanction and a fine. However, this was not a touchline or tunnel incident and the Commission deemed it a very serious matter.
- 10 Having considered the matter in detail we came to the unanimous conclusion, in these circumstances and having considered all the mitigation available, including credit being given for the early admittance and previous good record, that a fair and proportionate sanction for this offence and at this level of football would be a three (3) match Ground/Stadium ban.
- 11 The Association shall provide an explanatory note of the terms of a ground/stadium ban on the Commission's behalf.

12 As Manager we considered that he has a higher duty of care and should be setting an example to his players and staff. We therefore considered a higher suspension but due to his clean record and early admission mitigated down to three (3) matches.

13 Mr Jeffries is also fined the sum of £300.

14 This decision is subject to the relevant Appeal Regulations.

Brian M. Jones (Chairman).

Stuart Ripley

Kenneth Monkou

Sunday 18th December 2016.