

DISCIPLINARY COMMISSION

On behalf of Amateur Football Alliance

NON - PERSONAL HEARING

Of

HARRY ARLOW

Case ID: 10146598M

THE DECISION AND REASONS OF THE COMMISSION

Introduction

On 8 February 2020 in a match between East Barnet Grammarians 1s v Winchmore Hill 1s, the Referee, Jason Kilby, saw Mr Arlow make a foul tackle on an opposition player, Chris Chapman. The Referee awarded a free kick to Mr Chapman's team. As Mr Arlow retreated from the tackle, the Referee witnessed Mr Arlow say to Mr Chapman, "Get up you f**king f**got". The Referee issued a red card for this comment and Mr Arlow left the field.

Mr Arlow subsequently received a 2 match ban and a £40 ban for the red card.

The Charges

The FA charged Mr Arlow with the following:

E3 – Improper Conduct including foul and abusive language for an alleged breach of FA Rule E3(1), aggravated pursuant to FA Rule E3(2) by reference to sex, sexual orientation, ethnic origin, colour and/or race.

The relevant section of FA Rules E3(1) and (2) states:

"(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.

(2) A breach of Rule E3(1) is an 'Aggravated breach' where it includes a reference whether expressed or implied, to any one or more of the following: ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability."

Plea

Mr Arlow entered a guilty plea and invited the matter to be dealt with by correspondence.

The Commission

The following members were appointed by The FA to this Disciplinary Commission ("the Chair") to consider the E3(1) and E3(2) charge:

John Murphy (Chair).

Previous Disciplinary Record

The Chair sought Mr Arlow's previous disciplinary record which was good, with no previous aggravated disciplinary matters.

The Commission noted that Mr Arlow had submitted a prompt and fulsome apology. He stated that his 'actions were inexcusable' and that it was a 'momentary lapse of judgment.' The Commission noted Mr Arlow's guilty pleas and considered this a positive action by Mr Arlow.

The Sanction

The Commission considered the relevant Rules under FA Rule E3(1) and E3(2), the relevant

Regulations under The FA Disciplinary Regulations and the Sanction Guidelines issued by the FA.

The Commission firstly noted the requirements for sanctioning such aggravated offences set out in The FA Disciplinary Regulations.

The Commission noted that Mr Arlow had admitted the charge.

Taking all of the circumstances into account, the Commission orders that Mr Arlow:

1. be suspended for 6 matches, which includes the 2 match red card ban, to expire whenever the Football Association notifies in light of the current suspension of all football;
2. pay a fine of £75, which includes the £40 red card fine; and
3. completes The FA's Equality Education Course in a face to face meeting, the details of which will be provided to him in due course by the FA. In the event that Mr Arlow fails successfully to undertake the Course within 4 months, he will be further suspended from all footballing activity until such time as he does so.

The Commission also imposes 6 Club Disciplinary points.

The decision of the Commission is subject to the right of appeal under the relevant FA Rules and Regulations.

Commission

John Murphy - Chair

27 March 2020