

COUNTY FA NATIONAL DISCIPLINE PANEL DISCIPLINARY COMMISSION

The Football Association on behalf of
AMATEUR FOOTBALL ALLIANCE

v

GRANT BOARD (58526547) Case ID: 10564736M

WRITTEN REASONS

Factual Background and Chronology

- 1 These are the Reasons for the decision of the Disciplinary Commission which was heard by a Chair Alone Commission at 11-00 am on Saturday 20th November 2021.
2. The Commission member was Mr Keith Allen (CFA National Chair Panel).
3. The following is a record of the main points which the Discipline Commission considered.
4. The charge in question arose following a game between OLD ALOYSIANS FOURTH v OLD VAUGHNANSIANS THIRDS, played on Saturday 16th October 2021.
5. By letter dated 31st October 2021 Mr Grant Board a player for Old Aloysians FC was charged as follows:
Charge 1 FA Rule E3.1 Improper Conduct (including abusive language/behaviour).
Charge 2 FA Rule E3.2 Improper Conduct – Aggravated by a persons Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Sexual Orientation or Disability.
6. Details of the charge: “includes a reference to sexual orientation. This refers to the comment (s) “shut up you fucking faggot”.
7. On the WGS dated 14/11/21 Mr Board entered a **GUILTY** plea to Charge 1 and a **NOT GUILTY** plea to charge 2 asking for the case to be considered in his absence by correspondence.
8. FA Disciplinary Processes/General Provisions Section 1 Rule E3.1 provides for:
A participant shall at all times act in the best interests of the game and shall not act in any manner which is improper or brings the game into dispute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.

THE EVIDENCE

The following is a summary of the principal evidence provided to the Commission. It does not purport to contain reference to all the points made, however the absence in these reasons of any particular point, or evidence, should not imply that the Commission did not take such point, or evidence, 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.

9. The Commission had before it the following items to consider:

a) Correspondence from the match referee Matthew Lee, which included observations on the dismissal of Grant Board:

“ In the 41st minute of the game the Old Aloysians player Grant Board shouted towards an opponent, “shut up you fucking faggot”. I am unsure of what prompted Board to make this statement. I was approximately five yards away from Mr Board at the time he said these words and had a clear and uninterrupted view of him speaking them.”

b) A statement from OVFC Secretary Kieran McDonnell:

“Thank you our player is fine. He was called a faggot but doesn’t want to take it any further.”

c) A statement from Akinola Fayoyin, Secretary of Old Aloysians FC:

“I have spoken to Grant and he is deeply sorry for any unintended offence caused. Christopher Grimes (Vice-Chair) and John Kinsella (Treasurer) have also spoken to Grant regarding the issue and we are certain that there will not be a repeat of this incident.

Speaking to Grant he informed me that he apologised to the referee and the opposing player from Old Vaughanians after the game. Grant did not intend to offend anyone and would not use language like this again to anyone. Grant regrets using the word and understands how it can be interpreted to be offensive, and this was not his intention. He did not use it maliciously but as misguided banter in response to a comment from the other player.

Grant understands he will receive a ban and a fine.”

DELIBERATION

10. The Commission noted:

- i) There is no dispute that the word faggot was used by Grant Board, with clear evidence from the referee and the opposition, together with his own personal evidence given through his club secretary.
- ii) It is clear Mr Board believed he was using the word as a term of football “banter” directed at an opponent, in response to a comment from the other player.

- iii) Mr Board clearly regrets using the word, shows considerable remorse, has apologised to the referee and opposition player.
- iv) However, the word “faggot” refers to Sexual Orientation and is contrary to FA Rule E3.2.
- v) The Commission accept Mr Board was unaware this word falls in the category of a protected characteristic and is clearly in need of education in this aspect.
- vi) Great credit was given to Mr Board for his sincere remorse, contrition and apologies to the referee and the player concerned, with even greater credit to his club who handled the matter swiftly and firmly.
- vii) Credit is also given for Mr Board’s disciplinary record over the past five years, which is good.
- viii) However, no credit can be given to Mr Board for pleading not guilty to the E3.2 charge, only accepting the E3.1 charge.

STANDARD OF PROOF

The applicable standard of proof required for his case is the civil standard of the balance of probability. This standard means, the Commission would be satisfied that an event occurred if they considered that, on the evidence, it was more likely than not to have happened.

Having considered and giving all evidence, the Commission found the charge of a contravention of FA Rule E3.2 Improper Conduct – Aggravated by a persons Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Sexual Orientation or Disability against Grant Board, **PROVEN on the balance of probability.**

SANCTION

11. With Grant Board pleading **GUILTY** to Charge 1 E3.1 and Charge 2 E3.2, which was aggravated by a persons ethnic origin or race being found **PROVEN**, the Commission referred to FA Disciplinary Sanction Guidelines, which recommend a minimum sanction of a suspension of six matches and a sanction range of 6/12 matches.

12. The Commission decided to impose on Grant Board a sanction of a suspension from all football for **SEVEN (7) matches, a warning as to future conduct, a fine of £75, with five penalty points recorded against the record of his club.**

13. **Grant Board shall also complete an online education programme before the suspension is served or within 28th days of the Disciplinary Commission decision, whichever is the later, or a sine die suspension will be imposed.**

14. There is right of appeal in accordance with FA Regulations.