

FA NATIONAL SERIOUS CASE PANEL

DISCIPLINARY COMMISSION

CHAIRMAN SITTING ALONE

on behalf of Amateur Football Alliance

CORRESPONDENCE HEARING

o f

Teddy Farmer

[Case ID: 10832053M]

THE DECISION AND REASONS OF THE COMMISSION

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Amateur Football Alliance and Teddy Farmer Decision & Reasons of The  
Commission

## FA National Serious Case Panel Written Reasons

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## Introduction

1. On 30 April 2022 Teddy Farmer of Old Wilsonians First played a SAL Senior Section Division 1 - Southern Amateur League fixture against Nottsborough First - collectively "The match"
2. Old Wilsonians received a report of an allegation of Improper Conduct against a Match Official - (including threatening and/or abusive language/behaviour) By a Participant at the match. The participant named was Teddy Farmer
3. Amateur Football Alliance investigated the reported incident.

## The Charge

4. On 12 May 2022 Amateur Football Alliance charged Teddy Farmer as a participant.
5. With a Misconduct for a breach of FA Rule E3 – Improper Conduct against a Match Official - (including threatening and/or abusive language/behaviour)
6. It is alleged that Teddy Farmer used threatening and/or abusive and/or indecent and/or insulting language/behaviour contrary to FA Rule E3.1 and it is further alleged that this constitutes Threatening Behaviour Against a Match Official as defined in FA Regulations. This refers to the allegation that Mr Farmer said "I'm going to fucking have you" or similar to the Referee and "you're a fucking joke referee" or similar to the Referee.
7. The relevant sections of FA Rule E3.1 states 1:
8. E3.1 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 disrepute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent, or insulting words or behaviour.
9. p. 124 of FA Handbook 2021/22
10. Threatening behavior. Words or action that cause the Match Official to believe that they are being threatened. Examples include but are not limited to the use of words that imply (directly or indirectly) that the Match Official may be subjected to any form or physical abuse, either immediately or later, whether realistic or not; the raising of hands to intimidate the Match Official pretending to throw or kick an object at the Match Official.
11. P. 194 of FA Handbook 2021/22
12. Amateur Football Alliance included with the charge the evidence that was intended to rely upon in this case.
13. Evidence was received from.
14. Reports and information supplied by the Match Officials

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15. Statements from Old Wilsonians
16. Statements from Nottsborough
17. The Participant Charged was required to respond to its charge by 26 May 2022

### **The Reply**

18. A response was received via the Whole Game System on 25 May 2022 indicating that the respondent Teddy Farmer **denied** the charge and requested that the case to be dealt with by correspondence.
19. By responding to and requesting the case be heard by correspondence the respondent, Teddy Farmer acknowledges the following statement.
20. *I am pleading NOT GUILTY to the charge and I wish the case to be dealt with in my absence. I request any correspondence I have submitted to be considered and I will await the decision of the Disciplinary Commission. An administration fee of £15.00 is payable for this case.*

### **The Commission.**

21. The Football Association ("The FA") appointed me, Mrs. Victoria Fletcher, as a chair member of the National Serious Case Panel, to this Discipline Commission as the Chairperson Sitting Alone to adjudicate in these cases.

### **The Hearing and Evidence**

22. I adjudicated this case on 31 May 2022 as a Correspondence Hearing (the "Hearing")
23. I had received and read the bundle of documents prior to the Hearing.
24. The following is a summary of the principal submissions provided to me. It does not purport to contain reference to all the points made, however the absence in these reasons of any particular point, or submission, should not imply that I did not take such point, or submission, into consideration when I determined the matter. For the avoidance of doubt, I have carefully considered all the evidence and materials furnished with regard to these cases.
25. The following evidence was provided in the case bundle.
26. The Match Official, Daryl Ann, submitted an Extraordinary Incident Report Form dated 04 May 2022 to Amateur Football Alliance in which it stated [...]" After the game had finished, I was standing just off to the centre of the pitch with my assistants Dwayne Uylett and Paul Martins either side of me and we were shaking hands with players post match. Teddy Farmer who was

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dismissed from the field of play in the 90<sup>th</sup> minute for a second caution approached me and said "Referee, why did you send me off for my first challenge" I explained that I only cautioned him for it, however as it was his 2nd caution he had to be dismissed for the 2nd caution. The player at this point responded saying "I'm going to fucking have you". I was standing no more than 5 yards from the player at this point and I immediately took a step back and this allowed the team manager who I know to be Jon stand in between myself and Teddy Farmer and he ushered Teddy away with his hand while looking at me and talking to me. I did not feel happy standing there explaining a decision or a comment, as despite the player being ushered away and my two assistants were with me I did feel slightly intimidated by the comment and concerned if the player was going to act on his comment. Jon was calm and polite asking what had been said etc and I explained that I would put it all in my report for the club to digest after the game. He politely asked me one more questions and we all parted the field of play. As we were walking back to the clubhouse the player Teddy Farmer made a loud comment when we (officials) were about 15 yards away and said "your a fucking joke referee". I did not see or hear from Teddy Farmer for the rest of my visit..." ] (sic)

27. The Assistant Referee, Dwayne Uylett submitted a witness statement dated 10 May 2022 stating that. ["... At the end of the game whilst Daryl Ann match referee and Paul Martin were shaking players hands, Mr Farmer approach us and asked why he was sent off for only committing one foul tackle. Daryl explained he committed two offences which subsequently led to a second yellow card being issued. Mr Farmer said I'll fucking have you and direct this comment at Daryl Ann. This comment was uneasing and I felt in fear for my safety, and my fellow colleagues. Mr Farmer was taken away by the first team manager who then asked what was said. The manager was told that the comment would be in the report. Upon walking back to the changing rooms, when we were walking back towards our changing room, Mr Farmer clearly said you lot are a fucking joke..." ] (sic)

### **Response to the Charge**

28. Teddy Farmer, the participant charged, returned a response of Not Guilty in relation to the Charge of Improper Conduct against a Match Official - (including threatening and/or abusive language/behaviour)

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29. Teddy Farmer, the participant charged submitted a witness statement form dated 04 May 2022 stating that [“ ... at the end of the game on 30th April I shook hands with the players of the opposing team then approached the referee to question him on why he sent me off. I said “why did you feel the need to send me off for my first foul of the game”. The referee then replied “I didn’t send you off for your first foul, I cautioned you and you had already been cautioned earlier in the game for kicking the ball away”. I then replied “it’s still harsh/unnecessary for my first foul of the game”. To which he started to reply “You stopped a very promising attack” at this point I turned away and said “that’s bollocks” as I returned to the rest of my team on the sidelines and that was the end of the interaction...”] (sic)
30. Jon Howe, 1st XI Manager, Old Wilsonians submitted a witness statement dated 04 May 2022 stating that [“ ... Post game – All players were shaking hands and Teddy did ask the referee why he sent him off a second booking. The yellow that was given was by the rules certainly, but I did not feel in the spirit of the game at that point and certainly not a dangerous challenge just one perceived by the ref in a promising position to score. I also disagree with this but the decision was made and understandably the player was frustrated, along with a number of players on the pitch that day with the decisions made by the ref. When the ref gave Teddy his answer I pulled Teddy to one side and told him to go away there was not point arguing with this. I heard Teddy as he was walking away say this is bollocks. At this point the ref shouted after him “I will be reporting you for that”. At this point I couldn’t understand and ask the ref why and he just said I would read it in my report. I explained that I felt nothing other than normal frustration had been shown by Teddy and some of the other players that day. He began to shout at me and I had to ask him to stop as I was just having a conversation with him. I asked him what Teddy had said to him and he just kept repeating that you will read it in my report. I am still not aware what he thinks Teddy as said to him, but I can 100% confirm there was nothing aggressive in his manner or anything threatening said. If the ref had been willing to have a sensible conversation at this point I am sure any misunderstanding would have been cleared up. The ref was thankful to me for the way I conducted myself, which was calm at all times, I just wish he had maintained the same manner at all times as I felt a number of issues that day could have been deescalated and there would have been no need for 3 red cards in a nothing game played in an excellent spirit by both teams...”] (sic)

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31. David Hallam, Nottsborough First responded to an email from the Amateur Football Alliance in relation to the charge stating that ["... We heard that this had happened after the game, and we talked about it in the bar but none of the lads heard anything I'm afraid so can't help..."] (sic)

That concluded relevant evidence in this case.

### **Standard of Proof**

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

### **The Finding and the Decision**

33. The participant charged; Teddy Farmer denies the charge on all counts.
34. The participant charged, Teddy Farmer reports; ["... I turned away and said "that's bollocks" ..."] (sic) refuting the allegation of saying to the Match Official "I'm going to fucking have you" or similar followed by "you're a fucking joke referee"
35. Jon Howe, 1st XI Manager, Old Wilsonians Sporting Coach has stated the following ["... When the ref gave Teddy his answer I pulled Teddy to one side and told him to go away there was not point arguing with this. I heard Teddy as he was walking away say this is bollocks..."] (sic) Mr. Howe goes on to state there was nothing aggressive in the participant charged's manner or anything threatening said.
36. Daryl Ann, Match Official has stated ["...The player at this point responded saying "I'm going to fucking have you"...] (sic) followed by ["...your a fucking joke referee..."] (sic) This was heard from a distance of 5 yards when the Match Officials were walking back to the clubhouse.
37. Dwayne Uylett, Assistant Referee has stated ["... Mr. Farmer said I'll fucking have you and direct this comment at Daryl Ann..."] (sic) this was followed by ["... you lot are a fucking joke..."] (sic) when the match officials were walking back towards their changing room.

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38. The commission feels that all the statements are similar in evidence corroborating each other, the only differing evidence is that of the words allegedly said to the Match Official by the participant charged.
39. All evidence confirms that the participant charged approached the Match officials to question a decision made regarding a sending off which was clarified by the Match Official. Whilst this is not included in the charge it does give context as to why the situation arose.
40. Jon Howe has stated in his evidence that the participant was frustrated at the decision. Mr. Howe also states that when the ref gave Teddy his decision, he pulled the participant charged to one side and told him to go away, there was no point arguing this. Mr. Howe concludes his statement by stating ["...The ref was thankful to me for the way I conducted myself, which was calm at all times..."] (sic) this implies that there was a notable difference in behaviour between Mr. Howe and the participant charged.
41. Both the Match Official and the Assistant who have indicated their range from the Participant charged as being approximately 5 yards have stated that they clearly heard the words "I'm going to fucking have you" directed towards the Match Official by the participant charged when the Match Official had finished explaining the sending off. The Match Official felt the need to take a step back due to the intimidation felt, along with concern that the participant charged may act upon his comment.
42. Whilst the commission accepts Mr. Howe has made no reference to the alleged comment heard by the Match official and his assistant, it does not mean that the comment was not made.
43. The Commission reminds themselves of the threshold; Threatening behavior. Words or action that cause the Match Official to believe that they are being threatened. Examples include but are not limited to the use of words that imply (directly or indirectly) that the Match Official may be subjected to any form or physical abuse, either immediately or later, whether realistic or not; the raising of hands to intimidate the Match Official pretending to throw or kick an object at the Match Official.
44. The Commission feels that two persons heard the comment "I'm going to fucking have you" or similar at close proximity, the Manager of the Participant charged has confirmed that the Participant charged was frustrated at the decisions of the referee and had used foul and abusive language. The Participant charged, himself has admitted to using foul and abusive language although not the wording in the charge. Therefore, on the balance of probability

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the commission believes it is more likely than not that Mr Farmer said "I'm going to fucking have you" or similar to the Referee and "you're a fucking joke referee"

45. Therefore, I find the charge of: FA Rule E3 – Improper Conduct against a Match Official - (including threatening and/or abusive language/behaviour) PROVEN.

### **Previous Disciplinary Record**

46. After finding the charge proven, I sought the Participant Charged, Teddy Farmer's offence history. Teddy Farmer has no prior misconducts to show on record in the previous five seasons.

### **Aggravating & Mitigating Factors**

47. p. 158 of FA Handbook 2021/22 - A regulatory commission will have due regard to the circumstances and seriousness of the incident when determining the appropriate sanction and whether (and to what extent) to depart from the sanctioning range. In so doing, the regulatory commission shall give consideration to any aggravating and mitigating factors.
48. Aggravating factors are any relevant circumstances, supported by the evidence provided, that increase the potential sanction against the offending party.
49. Mitigating factors are any evidence presented regarding the participants character or the circumstances of the incident which might cause the Disciplinary Commission to apply a lesser sanction

### **Aggravating Factors**

50. There are no aggravating factors for the commission to take into consideration.

### **Mitigating Factors**

51. The commission may take into consideration the Participant charged clean disciplinary record. (Clear of Misconduct Offences spanning five seasons)

### **The Sanction**

52. I noted that the FA Recommended Sanction Guideline for an E3 offence Improper Conduct against a Match Official - (including threatening and/or abusive language/behaviour) are as follows:

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53. If any charge is found Proven the Commission will refer to The FA Sanction Guidelines and relevant FA Regulations when deciding on the sanction. They will also take account of any mitigating or aggravating factors. The Commission may deviate from the sanction guidelines where necessary, but where a mandatory minimum sanction is stated in FA Regulations, they cannot go below this; suspension from all football activities for a period of between 56 days and 182 days. The recommended entry point, prior to considering any mitigating or aggravating factors is 112 days, a fine of up to £100, with a mandatory minimum fine of £50. an order that the Participant completes an education programme before the time-based suspension is served.
54. After taking into consideration all circumstances in this case Teddy Farmer is:
55. Suspended from all football activities for a period of 190 days (Please note, the sanction is 98 days + 92 as the commission has taken into consideration that football would not normally be played in June, July and August and have added 92 days to the sanction to cover this period of football inactivity.)
56. A fine of £50 (Fifty Pounds)
57. An online FA Education Course. This must be completed before the suspension is served.
58. 6 (six) Club Disciplinary Points to be recorded.
59. Failure to comply with this order will result in a Sine-Die suspension being issued against the Participant until they have fulfilled this order in its entirety
60. The decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Signed...

Victoria Fletcher (Chairperson)

31 May 2022

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