

National County FA Disciplinary Panel

In the matter of Mr. Maciej Serafin - Case ID: 9910317M

Hearing Summary including Written Reasons

1. This is a hearing summary and includes written reasons for the decision of the Disciplinary Panel which sat on Thursday 26th September 2019.
2. The FA had appointed Panel members, Mr. Bradley Pritchard (Chairman), Ms. Nabila Zulfigar and Mr. Aaron Ogletree along with Ms. Vicky Collins to act as Secretary to the Panel.
3. Mr. Serafin had been charged in respect of the following matter:
Charge 1: FA Rule E3 – Improper Conduct (including foul and abusive language)
Charge 2: FA Rule E3(2) – Improper Conduct – aggravated by a person Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Sexual Orientation or Disability
The charge was further detailed as:
Details: Mr. Serafin has been charged with a breach of FA Rule E3.
It is alleged that his conduct was improper in that he used abusive and/or insulting words towards Assistant Referee Pankajkumar Patel, contrary to Rule E3(1). It is further alleged that these comments are considered “aggravated” within the meaning of Rule E3(2), due to reference, whether explicit or implied, to a person’s nationality.
The charge followed the alleged misconduct of Mr. Serafin aggravated by him allegedly mentioning the protected characteristic of nationality in the match of Old Windsor First vs KS Gryf First played on 31st August 2019.
4. The Panel noted the report of Match Referee Linda Lazenby. Referee Lazenby stated that:

[A]fter sending off Maciej Serafin, I was about to restart play, when my Assistant Match Referee Pankaj Patel, called to the sideline again. Pankaj was extremely emotional and shaking. He told me that he was not continuing due to KS Gryf player No. 13, Maciej Serafin approaching him in an aggressive manner, squaring up to Pankaj and calling him a “fucking pakie cunt” as leaving the side of the pitch.
5. The Panel also noted the report of Assistant Match Referee Pankajkumar Patel. Assistant Match Referee Patel stated that:

“I informed Linda I was not continuing and that as [Maciej Serafin] was leaving, the player squared up to me and called me “fucking pakie cunt”.
6. As a result of the referee’s report and assistant referee’s report raised the charges against Mr. Serafin on 5th September 2019.
7. Mr. Serafin did not respond to the charges.
8. The foregoing is a summary of the principal submissions provided to the Panel. 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 the Panel did not take such point, or submission, into consideration when the members determined the matter. For the avoidance of doubt, the Panel carefully considered all the evidence and materials furnished with regard to this case.
9. As part of its deliberations, the Panel reminded itself of the standard of proof which was required in order to find the charges proven, which is on a balance of probabilities. The Panel noted that the balance of probabilities standard means that the Panel would have to be satisfied an alleged event occurred if it considered, based on the evidence, the occurrence of an alleged event was more likely than not to have occurred.
10. After considering all of the evidence, the unanimous decision of the Panel was to find both charges proven on the balance of probabilities.
11. The Panel noted in both the referee’s and assistant match referee’s account of Mr. Serafin were consistent.
12. The Panel also noted that Mr. Serafin did not dispute the charges.

13. Mr. Serafin's club responded indicating that Mr. Serafin stated that he apologised to the Assistant Match Referee for his behaviour. .”
14. Ms. Vicky advised the Panel of Mr. Serafin's disciplinary record which showed no previous misconduct.
15. The Panel referred to FA Rules E3(1), E3(2) and the Disciplinary Sanctions Guidelines issued by the FA in coming to its decision.
16. The Panel considered if there were any additional aggravating factors which would take the sanction above the mandatory minimum. It found there were, due not only to the nature of the comments made to the Assistant Match Referee, but also the behaviour/actions of Mr. Serafin whilst saying them. In addition, the game was abandoned due to the comments.
17. Accordingly, the Panel imposed the following sanction in respect of this matter:
 - a ground ban of 8 qualifying matches;
 - a fine of £100;
 - a requirement for Mr. Serafin to undertake an FA Equality Education Course within 4 months and should he fail to do so he is to be suspended from all footballing activities until such time as he does undertake the course, details of which will be provided to him;
 - 8 disciplinary penalty points are imposed on the club.
18. There is a right of appeal against this decision in accordance with the relevant provisions set out in the Rules and Regulations of the Football Association.

Aaron Ogletree

Disciplinary Panel Wing Panel Member

2nd October 2019