

DISCIPLINARY COMMISSION

Sitting on behalf of the Cambridgeshire Football Association

IN THE MATTER OF A PERSONAL HEARING
OF
Samuel Tarrant
Bar Hill SSC FC

DECISION & WRITTEN REASONS OF THE DISCIPLINARY COMMISSION

BACKGROUND & HEARING

1. The Disciplinary Commission (“the Commission”) convened on 30th October 2018 by way of a personal hearing. The Commission adjudicated in respect of charges brought by Cambridgeshire FA against Samuel Tarrant as a result of alleged misconduct in a match between Bar Hill SSC FC and Mepal Sports First on 29th September, 2018.

THE COMMISSION

2. The members appointed to the Commission were:-
 - i. Roger Pawley (Council Member of Cambridgeshire FA– Chairperson)
 - ii. Brian Manley (Council Member of Cambridgeshire FA)
 - iii. Gerald Daish (Independent Member)
3. Martha Sutherland (Cambridgeshire FA) assisted the Commission as Secretary.

THE CHARGE(S)

4. Cambridgeshire FA charged Samuel Tarrant as follows:-
 - i. Charge 1: Breach of FA Rule E3(j) - Improper Conduct - Assault on a Match Official
 - ii. Alternate Charge 1: Breach of FA Rule E3(g) – Improper Conduct against a Match Official (including physical contact and threatening and/or abusive language/behaviour)

THE REPLY

5. Samuel Tarrant denied Charge 1 and wished to dispute it by attending a personal hearing. He accepted Alternate Charge 1.

THE RULES

6. Pursuant to The FA Handbook 2018-2019 Season, FA Rule E3(1) provides as follows:

“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.”

THE BURDEN AND STANDARD OF PROOF

7. In this instance the burden of proof is on the County. The applicable standard of proof is the civil standard of the balance of probability. The balance of probability standard means that the Commission is satisfied an event occurred if the Commission considers that, on the evidence, the occurrence of the event was more likely than not. Therefore, if the evidence is such that the Commission can say 'we find it more probable than not' the burden is discharged, but if the probabilities are equal it is not.

THE EVIDENCE

8. The following is a summary of the principal evidence and submissions provided to the Commission. It does not purport to contain reference to all the evidence and submissions; however, the absence in these reasons of any particular point, evidence or submission, should not imply that the Commission did not take such point, evidence or submission 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 witnesses before the Commission comprised of:
 - i. For the County FA - Robert Trewick (Match Official) (Sam Anderson, Cambridgeshire FA's Referee Development Officer attended in support of Robert Trewick but did not give evidence)
 - ii. For Samuel Tarrant – Barry Dean (Spectator), Ken Smith (Spectator), Ben Pope (Spectator), Sam Deards (Spectator), Lee Kempton (Club Captain), Danny Carminati (Club Secretary and player). The club chairman Paul Prime

was in attendance as club representative but gave no evidence to the commission.

10. The Referee's (Robert Trewick) report indicated that at the conclusion of the match Samuel Tarrant re-entered the field of play having been sent off and ran towards the referee. He then launched a punch which hit Robert Trewick on the bridge of his nose and teeth and knocked him to the floor. Whilst Robert Trewick was on the floor Samuel Tarrant had to be restrained by a few of his team mates and was heard by the referee to say "if you want more get up I have hardly touched you but get up you cunt and I will show you a proper punch". Robert Trewick confirmed that the report was an accurate representation of his recollection of events and did not wish to add or remove anything.
11. Upon questioning, Robert Trewick confirmed that he felt the reason he had fallen over was based on the force of the punch from Samuel Tarrant. He also said that although he was left feeling sore afterwards there was no visible bruising or cuts.
12. The evidence presented by all of Samuel Tarrant's witnesses supported his defence to of Charge 1. They all stated that Samuel Tarrant had re-entered the field of play after the final whistle but that there had been no punch thrown. Samuel Tarrant explained that he had gone to grab the whistle from the referee's mouth but missed.
13. Upon questioning, witnesses for Samuel Tarrant felt that it is likely Robert Trewick leant/stepped backwards due to the surprise of Samuel Tarrant approaching him and this may have caused him to lose his balance and fall over.
14. Samuel Tarrant accepted there may have been accidental contact with the referee's chest this would have been minimal and not enough to cause the referee to fall over. He also accepted that he called the Robert Trewick "a fucking disgrace" but denied saying "if you want more get up I have hardly touched you but get up you cunt and I will show you a proper punch" as he had not thrown a punch in the first place.

FINDINGS

15. The commission carefully considered all the evidence that had been presented to them. In the case of Charge 1 (E3(j)) the commission felt that it was more likely that Samuel Tarrant had lunged towards the referee causing him to lose his balance in surprise rather than punching him with such force that he fell over. It was felt that Samuel Tarrant did not act in a manner to cause injury to the referee. This charge was therefore found not proven.

16. In the case of Alternate Charge 1 (E3(g)) Samuel Tarrant accepted this charge.

PREVIOUS DISCIPLINARY RECORD

17. The Secretary confirmed that Samuel Tarrant had no previous cases of misconduct in the past 5 seasons but had had a number of cautions and send-offs over this period.

MITIGATION

18. The Club Chairman submitted mitigation on behalf of Samuel Tarrant stating that he was of good character, helped around the club whenever needed and had recently become a father. Whilst the commission appreciated this mitigation they did not feel there was anything presented that was strong enough to lead them to deviate from the recommended sanction.

SANCTION

19. The Commission carefully considered all the relevant FA Rules and the Sanction Guidelines issued by The FA.

20. The Commission found the charge against Samuel Tarrant proven and having taken all factors into account, the Commission deemed it appropriate to implement the recommended sanction for a breach of this nature and unanimously decided to impose the following sanction:

- i. Samuel Tarrant is fined the sum of £150.00;
- ii. Samuel Tarrant is suspended from all football activities for a period of 182 days;
- iii. The suspension is to be back dated to 2nd October 2018 when his interim suspension began.
- iv. Bar Hill SSC FC receive five (5) penalty points on their Club disciplinary record.

APPEAL

21. This decision is subject to appeal in accordance with the relevant FA Appeal Regulations.

Roger Pawley (Chairman)

Brian Manley

Gerald Daish

1st November 2018