

# **DISCIPLINARY COMMISSION**

**On behalf of the Essex County Football Association**

**Non-Personal Hearing**

**of**

**BRADLEY O'DONOVAN  
(Walthamstow Avenue FC)  
Case ID: 9557460M**

## **THE DECISION AND REASONS OF THE COMMISSION**

Warning: This document may contain offensive language. Any reference to participants under the age of 18 has been redacted

## Introduction

1. On 9<sup>th</sup> September 2018 Walthamstow Avenue First played Royal Albert First in a match in the Essex Sunday Corinthian League Division Two (“the match”).
2. A report was forwarded to Essex County Football Association (“Essex FA”) by the Referee, Andrew Crossley, on 10<sup>th</sup> September 2018. This contained allegations that Bradley O'Donovan, a player in the match, pushed an opponent and was subsequently spoken to by the Referee and had an aggressive attitude towards him. On indicating that the Referee was to caution him Bradley walked away and on being asked to return he told the Referee to “fuck off”. When he did react he ran at the Referee in an aggressive attitude shouting “I am going to fucking get you, you cunt”. He continued to shout expletives and threatening behaviour towards the Referee and had to be restrained.
3. Essex FA commenced an investigation into the allegations and raised charges on 10<sup>th</sup> October 2018.

## The Charge

4. Bradley O'Donovan was charged under FA Rule E3 – Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour) after being sent from the field of play.
5. The details of the charge against Bradley O'Donovan, contained in the charge letter, were: *“There was a push from Bradley on the RA player so I stopped the game and called in the Captain, Ray and asked for them both to come away from the incident. I see no foul play from RA and therefore asked them to leave me to deal with it. Bradley was giving me an aggressive attitude and would not listen to what I was saying.”*
6. *“As he failed to calm down, I took my book out of my pocket and asked for his name, to which he walked off. I called him 3 times and he told me to Fuck off.”*
7. *“By this time he was towards the other side of the pitch when he turned and shouted at me, Do you want me to come over there! I replied “Yes please fella ” and he run at me in an aggressive attitude shouting “I am going to fucking get you, you cunt” He had to be restrained by at least 5 of his players, whilst shouting expletives and threatening behavior towards me and was then led away. He continued to shout expletives as he was led away and then sat down.”*
8. The relevant section of FA Rule E3 states:
9. *“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.”*

## Documentation

10. Essex FA included within the charge letter the following evidence they intended to rely on:
  - (i) The Referee report from the match as indicated above.
  - (ii) Witness statement from Raymond Richardson, Player/Captain of Walthamstow Avenue dated 09/10/2018
  - (iii) Investigation response from Royal Albert dated 09/10/2018 indicating that their player Sam did not wish to submit a statement

## The Reply

11. On 10<sup>th</sup> October 2018 Bradley O'Donovan responded to the charge, pleading Guilty by selecting Option A on the WGS portal. There was no further documentation submitted.

## **The Commission**

12. The Discipline Commission members appointed by the Essex County Football Association were:  
Mr David Emerton (Chairman)  
Ms Sheryl MacRae (Essex FA Council Member)  
Mr Andy Schooler (Independent)
13. Mr Robert Craven, of the Essex FA Governance Team, acted as Secretary to the Commission.
14. The Commission took place at the Essex County Football Association Headquarters on 23rd October 2018, commencing at 10:00am.
15. This was a non-personal hearing so neither the Player charged nor the Referee were in attendance.
16. The Commission had received and read the documents prior to the hearing.

## **Standard of Proof**

17. The Commission reminded itself that the burden of proving a charge falls upon the County FA.
18. The applicable standard of proof required for this case is the civil standard of proof namely, the balance of probability. This standard means the Commission would be satisfied that an event occurred if it considered that, on the evidence, it was more likely than not to have happened.

## **Findings**

19. The charge was that there was improper conduct against a Match Official (including threatening and/or abusive language/behaviour). The player had pleaded Guilty to the charge and wished the case to dealt with in his absence.
20. The statement from Raymond Richardson indicating that the Referee antagonised the situation was taken into consideration.
21. Having carefully considered the whole of the documentation, the Commission members unanimously concluded that the charge against Bradley O'Donovan under FA Rule E3 – Improper Conduct (including threatening and/or abusive language/behaviour) was Proven.

## **Sanction**

22. The Sanction Guidelines for a Proven charge of improper conduct against a Match Official (including threatening and/or abusive language/behaviour) indicate that the recommended punishment for Threatening Behaviour against a Match Official is a suspension of 112 days/12 matches plus a fine up to £100 with a minimum of 56 days/6 matches and a £50 fine.
23. The Commission considered the player's five-year disciplinary record which showed no previous incidents of a similar nature. It was noted that the player had pleaded guilty to the charge. It was also noted that the Referee confirmed that Club officials had apologised to the Referee and that action would be taken by the Club.
24. In view of this mitigation, the decision of the Commission is to impose a suspension from All Football for a period of 8 matches and a fine of £75
25. The decision of the Commission is subject to the right of appeal under the relevant Rules and Regulations of the Football Association.

Signed

Mr. David Emerton (Chairman)

Ms. Sheryl MacRae

Mr. Andrew Schooler

(23rd October 2018)