

# **DISCIPLINARY COMMISSION**

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

**Correspondence Hearing**

**of**

**DAVE CHILDS  
(Little Oakley FC)  
Case ID: 9638921M**

**Linked to Cases 9638895M and 9638893M**

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

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

## Introduction

1. On 22nd September 2018 Little Oakley FC played Wivenhoe Town FC in a match in the Eastern Counties Football League, Eastern Senior League Division One South (“the match”).
2. A report was forwarded to the Essex County Football Association (“Essex FA”) by the Match Official Dumitru-Gheorghe Vasile on 23rd September 2018 stating that “I dismissed the away team Manager for violent conduct, he came on the pitch got involved in a mass confrontation, with other players getting involved, grabbed the home player round neck and punch him in the head”. We also received a report from the Assistant Referee, Harry Arnot, who stated “the Manager from Little Oakley grabbed the Wivenhoe Town player in a head lock and punched him numerous times”
3. Essex FA commenced an investigation into the allegations and raised charges on 23rd November 2018.

## The Charges

4. Dave Childs was charged under FA Rule E3 – Improper Conduct (Including Violent Conduct and Threatening and/or Abusive Language/Behaviour).
5. Little Oakley FC were charged under FA Rule E20 – failed to ensure Players and/or Officials and/or Spectators conducted themselves in an orderly fashion.
6. Wivenhoe Town FC were charged under FA Rule E20 – failed to ensure Players and/or Officials and/or Spectators conducted themselves in an orderly fashion.
7. The relevant section of FA Rule E3 states:  
*“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.”*
8. The relevant section of FA Rule E20 states:  
*“Each Affiliated Association, Competition and Club shall be responsible for ensuring:  
(a) that its directors, players, officials, employees, servants, representatives, spectators, and all persons purporting to be its supporters or followers, conduct themselves in an orderly fashion and refrain from any one or combination of the following: improper, violent, threatening, abusive, indecent, insulting or provocative words or behaviour, (including, without limitation, where any such conduct, words or behaviour includes a reference, whether express or implied, to any one or more of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability) whilst attending at or taking part in a Match in which it is involved, whether on its own ground or elsewhere; and  
(b) that no spectators or unauthorised persons are permitted to encroach onto the pitch area, save for reasons of crowd safety, or to throw missiles, bottles or other potentially harmful or dangerous objects at or on to the pitch.”*

## Documentation

9. Essex FA included within the charge letter the following evidence they intended to rely on:
  - (i) Misconduct report submitted by the Match Official dated 23rd September 2018;
  - (ii) An email from the Match Official dated 13th October 2018;
  - (iii) An email from Harry Arnot, Assistant Referee, dated 25th October 2018.

## The Reply

10. All parties pleaded guilty with no mitigation submitted.

## **The Commission**

11. The Discipline Commission members appointed by the Essex County Football Association were:  
Mr Andy Chaplin (Chairman)  
Mrs Sheryl Macrae (Essex FA Council Member)  
Mr Anthony Mercer (Independent)
12. Ms Frances Smith, of the Essex FA Governance Team, acted as Secretary to the Commission.
13. The Commission took place at the Essex County Football Association Headquarters on 19th December 2018, commencing at 6:00pm and finishing shortly before 6:30pm.
14. The Commission had received and read the bundle of documents prior to the hearing.

## **Findings**

15. Having entered a guilty plea all charges were found Proven.
16. The Commission noted that Mr Childs held a position of authority and as the Manager was duty bound to set a positive example. However he had chosen to enter the field of play without permission, grabbed a player round the neck, in a headlock and repeatedly punched him.
17. The Commission were advised that neither Club had submitted any mitigation, and noted previous E20 misconduct charge had been raised against Little Oakley F.C. However noted that the mass confrontation lasted for a few seconds and that sub action had been taken against the perpetrators.
18. The Commission determined that the level of sanction in all Proven cases was High.

## **Sanction**

19. The Commission considered the relevant rules and The FA's Sanction Guidelines for Season 2018/19. In relation to the cases against Mr Childs this was a suspension of 1 and 10 matches and a fine between £30 and £150.
20. It was noted that Mr Childs had previously been found case Proven for violent conduct 5 years ago.
21. The Commission unanimously agreed Mr Childs to be suspended for 5 matches with a fine of £125.
22. The Commission considered the relevant rules and The FA's Sanction Guidelines for Season 2018/19. In relation to the cases against both Little Oakley FC and Wivenhoe Town FC this was a fine between £0 and £250.
23. The Commission unanimously agreed that both Little Oakley FC and Wivenhoe Town FC be fined £75.
24. The decision of the Commission is subject to the right of appeal under the relevant Rules and Regulations of the Football Association.

Signed

Mr. Andy Chaplin (Chairman)  
Mrs. Sheryl Macrae  
Mr. Anthony Mercer  
Saturday 22nd December 2018

