

# **DISCIPLINARY COMMISSION**

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

**Correspondence Hearings**

**of**

**NORTHBROOKS FC  
Case number: 9570170M**

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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 30th September 2018 Northbrooks (S) FC played in a match against Newhall Rangers FC in the Harlow and District Sunday League (“the match”).
2. A report was forwarded to Essex County Football Association (“Essex FA”) by the match referee. This contained allegations of misconduct by Northbrooks FC.
3. Essex FA commenced an investigation into the allegations and raised charges.

## The Charges

4. Northbrooks FC were charged under FA Rule E20 – Failed to ensure Players and/or Officials and/or Spectators conducted themselves in an orderly fashion, which resulted in the match being abandoned.
5. The details of the charge against Northbrooks FC were contained in the charge letter: *“as I displayed the red card, he turned around and ran back to the Newhall Rangers assistant referee and grabbed him. They ended up on the floor and a second brawl started. I therefore blew the whistle and abandoned the game in fear of my own safety and the safety of others around me. After this game had been abandoned I stayed and helped run the line on another game at the pitch next to me. This was to protect myself from going near the aggravated players in the car park and changing rooms in fear of my own safety. Whilst running the line 2 Northbrooks FC players walked past me. One came into my face and said I was a racist and the second stuck his middle finger up in my direction and shouted “fuck you” At the end of the game I was talking to the referee when several Northbrooks FC players walked past. They again said I was a racist and shouted “hey dickhead on numerous occasions as they walked across the field.”*
6. The relevant section of FA Rule E20 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.”*

## Documentation

7. Essex FA included within the charge letter the following evidence they intended to rely on:
  - (i) A report from the match official, Thomas Whay, dated 30th September 2018;
  - (ii) An email from Joel Groves of Newhall Rangers dated 12th October 2018;
  - (iii) A letter from M Taylor of Newhall Rangers dated 30th October 2018.

## The Reply

8. Northbrooks FC responded to the charge, pleading Guilty and requesting that the matters be dealt with in their absence.
9. In their guilty plea Northbrooks FC provided mitigation in stating that a number of their players were from disadvantaged back grounds, with many being asylum seekers, and that the club provided them with an outlet and some social interaction.

## **The Commission**

10. The Discipline Commission members appointed by the Essex County Football Association were:  
Mr Wayne Deller (Chairman)  
Mr Alan Dare (Essex FA Council Member)  
Mr Andy Schooler (Independent)
11. Mr Robert Craven, of the Essex FA Governance Team, acted as Secretary to the Commission.
12. The Commission took place at the Essex County Football Association Headquarters on 9th November 2018, commencing at 8:00pm and finishing shortly before 8:25pm.
13. The Commission had received and read the bundle of documents prior to the hearing.
14. The following is a summary of the principal submissions provided to the Commission. 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 Commission did not take such point, or submission, into consideration when it determined the matter. For avoidance of doubt, the Commission have carefully considered all the evidence and materials furnished with regard to this case.
15. The match official had been clear in his original misconduct report
16. Northbrooks FC had pleaded Guilty to the charge and had submitted mitigation.

## **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. From the documentation that we read there was no doubt that there was considerable and repeated misconduct by members of Northbrooks FC.
20. The Commission were satisfied that the intentions of members of Northbrooks FC were to make a clear threat to the match official
21. Having carefully considered the whole of the documentation before us the Commission members:
  - (i) unanimously concluded that the charge against Northbrooks FC under FA Rule E20 – failed to ensure Players and/or Officials and/or Spectators conducted themselves in an orderly fashion, was Proven.
22. The Commission determined that the level of sanction in this case was High due to the repeated nature of the offences and the clear fear for his safety of the referee.

## **Sanction**

23. The Commission considered the relevant rules and The FA's Sanction Guidelines. In relation to these cases this was a fine between £75 and £150
24. The Commission carefully considered the statement made by Northbrooks FC in mitigation and noted there was a previous proven E20 discipline record for this team.

25. The Commission carefully considered the mitigation submitted by Northbrooks FC and determined that they could justify a small reduction in the level of the sanction applied.
26. The Commission unanimously agreed Northbrooks FC are to be fined £120.00
27. The decision of the Commission is subject to the right of appeal under the relevant Rules and Regulations of The Football Association.

Signed

Mr. Wayne Deller (Chairman)  
Mr. Alan Dare  
Mr. Andy Schooler  
Tuesday 20th November 2018