

# **DISCIPLINARY COMMISSION**

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

**Non Personal Hearing**

**Of**

**Eduard Razvan Visan  
(United Romania FC)  
Case ID: 9672747M**

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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 9th December 2018, Coco Bongo FC First team played United Romania FC in a match in the Harlow & District Sunday League, Division One.
2. An Extraordinary Incident report relating to Misconduct was forwarded to Essex County Football Association by the Match Referee, Nathan Kitteridge, on 10th December 2018. This contained an allegation that Mr Eduard Razvan Visan had assaulted the Match Referee. The Essex CFA commenced an investigation into the allegations and raised charges on 13th December 2018.

## The Charges

3. Eduard Razvan Visan was charged under FA Rule E3 – Assault on a Match Official. Although the referee's report made reference only to "Mr Visan", the full name was confirmed by the club via email on 20th December 2018.
4. The details of the charge against Eduard Razvan Visan, contained in the charge letter, were:  
*"In the 71st minute a free kick was taken by Coco bongo and crossed into the penalty area. The assistant referee provided by United Romania signalled for an Off Side, however I overruled him as the player who contacted the ball was not in an off side when the kick was taken. The attacker headed the ball out of play and so I awarded a goal kick to United Romania. At this point I moved towards my goal kick restart position and notice a United Romania player approaching me. He was shouting that I must award an offside. Whilst I was explaining to him why I had not awarded the offside, I noticed Mr Visan running towards me from my right. He violently grabbed my shoulder and pushed me round to face him and began shouting at me. The push caused me to step back so I did not fall over. I dismissed Mr Visan for his actions and took three stepped backwards to distance myself from him. As he passed me to leave the field of play from a distance of 5 yards looked directly at my face and shouted "Fuck You" and spat at me, the spit travelled past over my shoulder and onto the ground behind me. He was then ushered away by his team mates. I advised the player/manager he would be reported for this behaviour."*
5. The Referee Secretary of the in Harlow & District Sunday League, Sarfraz Idrees , witnessed the spitting offence and confirmed he was happy to be a witness if required.
6. 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."*

## Documentation

7. Essex FA included within the charge letter the following evidence they intended to rely on:
  - (i) The Extraordinary Incident Report from the Referee, Nathan Kitteridge, dated 10th December 2018;
  - (ii) An email dated 13th December 2018, from Mr Greg Hart to Sarfraz Idrees requesting as part of the collection of investigation a statement of an incident he witnessed in the game between Coco Bongo and United Romania;
  - (iii) An email from Sarfraz Idrees dated 16th December, which was a response to Greg Hart's email and was a witness statement to the incident;
  - (iv) An email dated 20th December 2018 to Mr Bogdan Stanica, confirming that there had been a telephone conversation requesting a response by the 21st December to confirm the reasons why Eduard Razvan Visan was requesting a Personal Hearing;
  - (v) An email response from Bogdan Stanica including a request and short statement why Eduard Razvan Visan was requesting a Personal Hearing dated 20th December 2018, also explaining that Eduard Razvan Visan would on holiday until 7th January 2019;
  - (vi) A series of emails between Ms Fran Smith and Bogdan Stanica trying to arrange a Personal Hearing as Eduard Razvan Visan has to work in the evenings and cannot attend an evening Commission, dated between 23rd January 2019 and 4th February 2019;

- (vii) A written statement from Eduard Razvan Visan, with his reasons for the appeal;
- (viii) A Letter from Eduard Razvan Visan's employee stating that he was contracted to work in the evenings.
- (ix) An email dated 24th January asking that the case now be dealt with as a Non-Personal Hearing as Eduard Razvan Visan was unable to attend any hearing, from Bogdan Stanica.

## **The Reply**

8. United Romania responded on 21st December 2018, denying the charge and requesting a Personal Hearing. Essex FA attempted to arrange a Personal Hearing on 9th January 2019 and 5th February 2019. Eduard Razvan Visan indicated that he was not able to attend on the first date and was granted a cancellation. United Romania FC were asked to provide available dates for the hearing to be rearranged but these were not received by Essex FA. As a consequence, the Personal Hearing was rescheduled for 5th February 2019. On 24th January 2019, United Romania FC indicated that Eduard Razvan Visan could not attend on this date and requested that the case was dealt with as a Non-Personal Hearing.

## **The Commission**

9. The Discipline Commission members appointed by the Essex County Football Association were:
  - Mr Alec Berry (Chairman)
  - Mr Steven Ince (Independent)
  - Mr Mark Healy (Independent)
10. Mr Robert Craven, of the Essex FA Governance Team, acted as Secretary to the Commission.
11. The Commission took place at the Essex County Football Association Headquarters on 5th February 2019.
12. The Commission had received and read the bundle of documents prior to the hearing.
13. 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.

## **Standard of Proof**

14. The Commission reminded itself that the burden of proving a charge falls upon the County FA.
15. 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**

16. The Referee's statement was clear, in that he had seen Eduard Razvan Visan run towards him and *"violently grabbed my shoulder and pushed me round to face him and began shouting at me"*. The Referee then stated that he dismissed Eduard Razvan Visan who then: *"As he passed me to leave the field of play from a distance of 5 yards looked directly at my face and shouted "Fuck You" and spat at me, the spit travelled past over my shoulder and onto the ground behind me."* Mr Visan was then ushered away from the incident.
17. The statement from Sarfraz Idrees, who said that he was standing at the side of the pitch had heard a commotion. He then said he saw 5 to 6 players around the Referee and one who he knew to be the United Romania captain shouting at the Referee in a foreign language. He then saw this person look at the Referee and then in an aggressive manner spit in the direction of the Referee's face. As this player left the pitch he went over to Sarfraz Idrees and said that he *"had only touched the Referee on his arm to get his*

attention.” Sarfraz Idrees said back that he was appalled at the players action in spitting at the Referee. The player reacted by saying that he spat on the ground. In Sarfraz Idrees’ opinion it was not. Sarfraz Idrees knew the player and confirmed that he thought this was out of character after previously refereeing him.

18. Eduard Razvan Visan had written a response, in which he stated that he had ran towards the Referee to question why he had awarded a goal-kick rather than a signalled offside. He accepted that he had taken the referee to one side and suggested that someone had pushed him. He was shown the red card and then regrettably spat onto the ground and told the Referee to Fuck Off. He stated that this caused a riot due to the goal-kick being awarded and he tried to pull players away. He also stated that he never been booked nor had been involved in this type of incident with a Referee.
19. From the documentation that we read it was clear that Eduard Razvan Visan had spat in the direction of the Referee. This was confirmed by the Referee and an independent witness, Sarfraz Idrees
20. Eduard Razvan Visan had confirmed to Sarfraz Idrees, that he had touched the Referee on his arm, he had sworn at the Referee and he had spat at the ground.
21. Having carefully considered the whole of the documentation before us, the Commission members:
  - (i) Unanimously concluded that the charge against Eduard Razvan Visan under FA Rule E3: Assault on a Match Official was Proven.

## **Sanction**

22. The Commission considered the relevant rules and The FA’s Sanction Guidelines in relation to this cases which was clearly defined within the Charge Letter as:

*“Should the Charge be found Proven, the recommended sanction to be Considered by the Discipline Commission is a minimum suspension of 5 years, up to 10 years.”*
23. The Commission carefully considered the statement made by Eduard Razvan Visan and the statement supplied by Sarfraz Idrees in mitigation and noted Eduard Razvan Visan had no previous discipline record for this team.
24. The Commission unanimously agreed Eduard Razvan Visan be suspended from all football for five years, with this being the minimum sanction that could be imposed.
25. Due to the mitigation submitted, the Disciplinary Commission unanimously agreed that as Eduard Razvan Visan would have three-and-a-half years from the five-year sanction suspended, subject to the participant not receiving any further Proven charges of Improper Conduct (Assault on a Match Official).
26. The decision of the Commission is subject to the right of appeal under the relevant Rules and Regulations of the Football Association.

Signed

Mr. Alec Berry (Chairman)  
Mr. Steven Ince  
Mr. Mark Healy  
7th February 2019