

# **DISCIPLINARY COMMISSION**

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

**Non-Personal Hearing**

**JONATHAN BROWN  
Case ID: 10036108M**

## **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 22nd September 2019 Ilford Y U16s played Barking U16s in a match in the Eastern Junior Alliance League ("the match").
2. A report was forwarded to Essex County Football Association ("Essex FA") by the Referee, Royan Campbell, on 22nd September 2019. This contained details that: *"The manager for Ilford U16's, John Brown, use threatening and insulting language towards me (the referee). I showed him a red card and asked him to leave the technical area. He refused at first, then did so reluctantly and very slow. He also threatened to "smash me in" and called me a "fucking cunt"."*
3. Following receipt of this report Essex FA emailed the referee Royan Campbell, for further clarification on the language that had been used. The response contained details that: *"I can confirm that Mr Brown called me a "fucking cunt" and also called me a "prick". After he was shown the red card and told to leave the technical area he told me "not to look at him or he will fucking sort me out"."*
4. Following receipt of the report and email confirmation Essex FA raised a charge on 22nd November 2019 against Jonathan Brown with a response required by 6th December 2019. The club was then contacted on 6th December 2019 to inform that the charge had been amended to include threatening.

## The Charge

5. Jonathan Brown was charged with Breach of FA Rule E3 – Improper Conduct Against a Match Official (including threatening and/or abusive language/behaviour) By a Club Official.
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."*
7. The charge notification also stated the recommended sanctions should the charge be found proven:  
*"Should the charge be found proven, the recommended sanction to be considered by a Disciplinary Commission is a suspension of 112 days or 12 matches and a fine up to £100. The Commission has the ability to mitigate or aggravate the sanction, depending on the evidence available to them and the players previous history, however, the Disciplinary Commission cannot mitigate the sanction below a suspension of 56 days or 6 matches and a fine of £50."*

## Documentation

8. Essex FA included within the charge notification the following evidence they intended to rely on:
  - (i) The Referee report from the match dated 22nd September 2019
  - (ii) Email from the Referee dated 10th October 2019

## The Reply

9. The Club responded to the charge by selecting option A on the WGS Portal pleading Guilty to the charge and wishing the case to be dealt with in their absence.

## The Commission

10. The Discipline Commission members appointed by the Essex County Football Association were:  
Ms Sheryl MacRae (Chairman)

Mr Michael Hemsted (Council)  
Mr Anthony Mercer (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 23rd December 2019 commencing at 10:00a.m.
13. This was a non-personal hearing so the participant charged was not in attendance.
14. The Commission had received and read the documents prior to the hearing.

### **Standard of Proof**

15. The Commission reminded itself that the burden of proving a charge falls upon the County FA.
16. 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**

17. 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, or to all the statements and information provided, 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 in this case.
18. The Commission noted that neither the charged party or the club had submitted a statement.
19. The Commission noted that the referee had indicated in his match report that there was use of threatening and abusive language.
20. The Commission unanimously found the charge of Improper Conduct against a Match Official (including threatening and/or abusive language behaviour) Proven.

### **Sanction**

21. The Sanction Guidelines for a Proven charge of Improper Conduct against a Match Official (including threatening and/or abusive language behaviour) indicates a recommended suspension of 122 days or 12 matches and a fine up to £100, with a minimum sanction of 56 days or 6 matches and a fine of £50.
22. The Commission considered the participant's five-year disciplinary record which showed he had received one other E3 charge but this did not include threatening and was two seasons ago.
23. The Commission took into account the player's acceptance of the referee's report.
24. The decision of the Commission is to impose a suspension from All Football for a period of 84 days and a fine of £75.00.
25. The decision of the Commission is subject to the right of appeal under the relevant Rules and Regulations of the Football Association.

Signed

Ms Sheryl MacRae (Chairman)  
Mr Michael Hemsted  
Mr Anthony Mercer

7th January 2020