

A GUIDE TO PERSONAL HEARINGS FOR COUNTY WITNESSES

The FA

FOR ALL

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WHAT IS A COUNTY WITNESS AND WHY HAVE I BEEN ASKED TO ATTEND A PERSONAL HEARING?



When someone who is charged by the County FA, does not accept the evidence on which the charge is based, that person has the right to request a Personal Hearing. This will be granted, as long as they responded within the required timeframe.

The county asks witnesses to attend Personal Hearings, to provide important information on what they experienced, saw or heard, which may help the disciplinary process.

Therefore, you are asked to attend a Personal Hearing as a witness to the events you saw, heard or experienced during the incident reported. Likewise you are also asked to attend if you are the alleged victim of abusive or discriminatory behaviour to provide important information regarding the incident

DO I HAVE TO ATTEND?

WHAT HAPPENS IF I DO NOT OR CANNOT ATTEND?

When a hearing is requested, the County Witness will be asked and expected to make every effort to attend.

Disciplinary Commission 's want to hear all possible available evidence to enable them to be as informed as they can in making their decisions. Therefore, if you are unable to attend on a given date, please inform the County FA as soon as possible.

We really understand that victims of abusive, discriminatory or inappropriate behaviour may find attending the hearing difficult. If this is the case, please talk to the county to see how they can support you.

We ask that you make every effort to attend., so that we can seek to get some closure for you and all involved in respect of the alleged incident.

Hopefully everyone understands why it is important to deal with the case as close to the date of the incident as possible.

Usually everyone seeks to attend the first date provided. If for some reason this is not possible and a date is rearranged and you can't make that one either, then the case may be heard in your absence.

In extreme circumstances, non attendance may be referred to the Discipline Department for possible action.



WITNESSES WHO ARE ALLEGED VICTIMS OF ABUSIVE AND / OR DISCRIMINATORY BEHAVIOUR

We appreciate that those witnesses who are also the alleged victim of abusive, discriminatory or inappropriate behaviour, may find attending the Personal Hearing challenging and in some cases traumatic and we'll do all that we can to ease this process.

You are there as a witness to provide your perspective on what you experienced . **You are not on trial.**

It is the job of the Disciplinary Commission to establish whether the evidence enables them to find a case 'proven' and if so, to decide on an outcome and an appropriate sanction.

And if they are unable to find a case 'proven' it does not necessarily mean that the incident did not happen, just that on balance with the evidence available at that time, they may not be able to find the case proven.

The following organisations may be able to provide support for alleged victims:

Police Hate Crime

http://report-it.org.uk/your_police_force

NSPCC CHILD LINE

https://www.nspcc.org.uk/services-and-resources/nspcc-helpline

WHAT ARE THE PROCEDURES AT A PERSONAL HEARING?

When you arrive at the hearing, the Secretary will meet you. They are your main point of contact and it's their role to record everyone's name and role. You will be asked to wait in a waiting room until the Commission is ready to begin. Young people in Youth football must be accompanied by a parent/carer. (see Youth Procedures).

When the Commission is ready to begin, you will be shown to the meeting room.

The Chairperson will introduce the panel, and ask you to introduce yourself.

One at a time, each of the witnesses, including you, will be asked to give your version of events.

The Club or Participant charged may ask you questions with regards to the incident concerned.

The Commission will also ask any questions they may have after reading the report and hearing all witnesses versions' of events.

As you are a witness, you are there to describe what you experienced, what you felt, saw and heard; you are not therefore allowed to ask any questions.



WHAT ARE THE PROCEDURES AT A PERSONAL HEARING?



It is important to remember that the Commission were not present at the incident.

Through questioning and hearing all the evidence presented from both sides the Commission seek to build up a picture of what took place.

Once all the evidence has been heard, all witnesses will be asked to leave the room whilst the Commission consider the case and decide in private, if the case is Proven or Not Proven.

The person/s charged are then informed of the outcome.

YOUTH PROCEDURES



In line with our Safeguarding Children Policy, we recognise that young people (U18) are additionally vulnerable in a Personal Hearing situation. In light of this, we have made appropriate adaptations to our procedures and the following procedures must be adopted when young people in Youth football are involved in Personal Hearings:

Young people must be accompanied by a parent/carer. The parent/carer cannot also be a witness, seeking to provide evidence to the Commission. This is so that they can give all their attention to supporting their son or daughter.

Whilst a young person gives evidence, the only other people in the room will be the Participant who is charged and the person accompanying them and the Commission members.

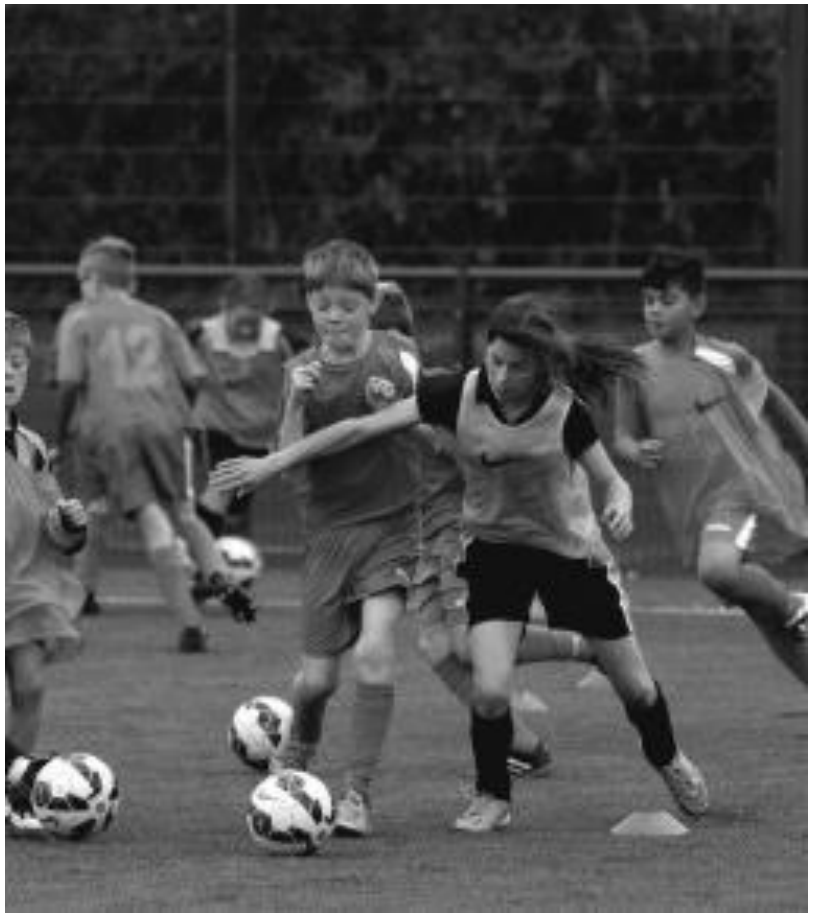
Any questions to the young witnesses, will be posed through the Chairperson of the Commission. This means that if the representatives or the Participant charged or other members of the Commission wish to ask questions, they must ask them to the Chairperson, who will then put the questions to the Young person.

YOUTH PROCEDURES

At the end of the questioning by the Commission, and having confirmed the Participant or representative charged has no further questions that need to be put to the young person, the young person will be asked to leave the room.

The young person will not be required to stay for the remainder of the hearing, unless they specifically request the Chairperson to do so.

Ideally, in order to support the young person, their parent / carer would take them home at this point. Although we realise that the practicalities of joint travel with other attendees may make this difficult.



Please note:

The FA advises that these procedures should be sent to all parties in advance of the Personal Hearing, so that they are aware of the procedures before arriving and can prepare appropriately.

DO I NEED TO BRING ANYTHING WITH ME TO THE HEARING?



You do not have to bring anything with you to the hearing if you do not wish to.

However, you may wish to write down your version of events prior to the Personal Hearing, This might make it easier for you to recall what happened or you may wish to read straight from this on the evening.

You may already have submitted a letter or report about the incident, that you may wish to bring along. This may also help when asked questions referring to specific parts of the incident.

We want you to feel as comfortable as possible.

WHAT IF I NEED TO REQUEST A REASONABLE ADJUSTMENT?

A reasonable adjustment is when an organisation makes changes to a service to accommodate or support a specific need that a person may have in order to fully take part, in this case a disciplinary Personal Hearing. These include examples such as:

- providing an interpreter if you are hard of hearing or are deaf;
- providing correspondence in large font if you are partially sighted, or braille if you are blind;
- communicating clear instructions throughout the process, including the Personal Hearing, if you are dyslexic;
- moving the Personal Hearing to a different day if it falls on a religious day which is observed by you.

What's meant by reasonable?

In line with the Equality Act, 2010, a County FA can make adjustments, if it is reasonable to do so. What is reasonable depends on things like:

- your disability or personal circumstances
- how practicable the changes are
- if the change you ask for would overcome the disadvantage you experience
- the money and resources available at the time to make the changes

If you need support, please contact your County FA to discuss your circumstances.

WHAT SHOULD I WEAR?

There is no set dress code for a Personal Hearing.

You can turn up in a suit or wearing a tracksuit or simply jeans and a t-shirt.

We want you to feel as relaxed and as comfortable as possible.



WHO ELSE WILL BE THERE?



There will be at least five people in attendance:

- The Chairperson of the Disciplinary Commission
- 2 Commission Members
- A Secretary
- The person charged

The person/s who reported the incident is asked to attend as a county witness, to give their version of events. This would normally be the Match Official(s). However, occasionally this is someone else, for example, a member of another club.

The person/s charged may also bring other witnesses and / or alleged victims of an incident to support their case.

Additional people who may appear at the Personal Hearing may include the County FA Welfare Officer and/or the County FA Referee Development Officer.

CAN I BRING ANY WITNESSES?

As shared previously, you are attending as a witness for the County FA. You are not on charge yourself, so therefore you are not asked to bring any witnesses.

If you would like a family member or friend to attend with you for moral support, please inform the County FA of their name and relationship to you, in advance of the Personal Hearing.



HOW LONG DO PERSONAL HEARINGS LAST?



As a general rule we allow 45 minutes to an hour for each case. However, some will last longer depending on how much evidence there is to hear.

Please bear this in mind when you attend a Personal Hearing. If the Hearing before you over-runs, the Commission may be late starting your Personal Hearing.

Whilst we seek to avoid delays to the best of our ability, sometimes, in order to ensure there is a fair process in a case, it is not possible to keep to time.

We ask for your patience with this, as it could be your Personal Hearing that over-runs, resulting in another case being delayed.

WILL I RECEIVE NOTIFICATION OF THE OUTCOME?

As long as the Participant charged is aware, the County FA will be in a position to share the outcome with you.

So, you can ask the County FA to let you know the outcome the following day, after the Hearing.

Ordinarily outcomes are also published on the county website. This may not be the case for incidents where the alleged victim and perpetrator's are U18.



FURTHER INFORMATION

You can find further information with regards to Personal Hearing procedures on the County FA website:

www.countyfa.com/fagovernance

For example: **www.suffolkfa.com/fagovernance**

Written reasons for discrimination cases (except those involving U18s) are published online:

www.countyfa.com/tacklingdiscrimination

For example:
www.essexfa.com/tacklingdiscrimination




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