**KENT COUNTY FOOTBALL ASSOCIATION LTD.**

**VERSUS**

**SCOTT GOODWIN**

**CASE I.D. REFERENCE 9567287M**

**WRITTEN REASONS – DISCIPLINARY COMMISSION**

**28th NOVEMBER, 2018**

1. **INTRODUCTION**

 **These are the written reasons for the Findings of a Disciplinary Commission held to consider an**

 **Appeal by Personal Hearing by SCOTT GOODWIN, a player registered with Denton Football**

 **Club, against a charge of breach of FA Rule E3 – Improper Conduct against a Match Official**

 **(Including physical contact and threatening and/or abusive language / behaviour) - laid by the**

 **Kent County Football Association Ltd. (KCFA) in response to a written report made by Referee**

 **David Buck that Mr Goodwin “slapped me in the face connecting with my right cheek” after**

 **having been dismissed from the field of play for Serious Foul Play during a fixture played on**

 **14th October, 2018.**

1. **PARTIES**

 **The Disciplinary Panel members appointed to hear the Appeal were:**

 **Terry Lawrence (KCFA Disciplinary Panel Chairman) in the Chair**

 **Arnold Van Orsouw (KCFA member)**

 **Roger Corkhill (Independent Panel member)**

 **Mark Bright (KCFA Football Services Officer) acted as Secretary to the Commission.**

 **David Buck – Match Referee. Witness on behalf of KCFA.**

 **Scott Goodwin – Appellant - took his own case and introduced two witnesses: Trevor Brown (Team Manager of Denton FC) and Sonny Brookes (Team Coach of Denton FC)**

1. **MISCONDUCT CHARGE**

**A charge had been laid against SCOTT GOODWIN by KCFA on 15th October, 2018 of breach of FA Rule E3 (Improper Conduct against a Match Official including physical contact and threatening and/or abusive language/behaviour). This was supported by the Match Report dated 14th October, 2018, received from referee David Buck.**

**Page 179 of The FA Handbook 2018/19, under the section for Offences Against Match Officials, item 91.2 lists the below:

*‘Physical contact or attempted physical contact: examples include but are not limited to: pushing the match official, pulling the match official (or their clothing or equipment), barging or kicking the ball at a match official (causing no injury) and/or attempting to make physical contact with the match official (for example, attempting to strike, kick, butt, barge or kick the ball at the match official).’***

1. **RESPONSE FROM APPELLANT**

**An undated “Letter of Response” was received from Scott Goodwin plus notification of**

 **his plea of Option 4 – NOT GUILTY to the charge and a wish to attend a Disciplinary Hearing.**

1. **SUMMARY OF WRITTEN EVIDENCE**

**Members of the Commission considered the written Report from Referee David Buck that stated that Scott Goodwin had “slapped me in the face connecting with my right cheek” Members then considered the written submission of Scott Goodwin that he HAD “patted” the Referees cheek but denying that he had “slapped” the Referee.**

1. **VERBAL EVIDENCE**

**\*\* Under questioning from Mr Goodwin and Commission Members, Mr Buck stated that Mr Goodwin had softly “slapped” the right side of his face. It was not a heavy “slap” and there had been no mark left on his face nor did he feel threatened in any way by Mr Goodwin. The entire episode was over in a few seconds. He agreed that the contact could well have been intended as a gesture and that Mr Goodwin muttered “I’m going, Ref” as he walked off immediately after the incident.**

**\*\* Mr Goodwin, in his submission, stated that he had merely softly patted the Referees cheek and that it was no more than a touch. In response to questions from Commission Members, Mr Goodwin stated that it was no different to briefly touching a Referees arm or back to acknowledge his dismissal. He had not made any threatening gesture or movement nor had he used any unacceptable language. He agreed that, in hindsight, he should not have even touched the Referee but contested that the contact was so soft that it could not e considered anything more than a touch. He had re-entered the field of play after the game had ended to thank the Referee for the game and the pair had shaken hands.**

**\*\* Mr Goodwin called upon two Witnesses – Mr Brown and Mr Brookes. Both stated that the matter may have been exacerbated by spectators of Denton FC’s opponents (Old Comrades FC) entering the field of play without permission to protest at the offence for which Mr Goodwin was dismissed for Serious Foul Play. Both Witnesses believed that such may have influenced the Referee’s decision in the heat of the moment.**

1. **FINDINGS**

**Members fully considered the evidence – both written and verbal – put forward but were mindful of the verbal evidence of Referee, David Buck, that he accepted that the “slap” was very soft and could have been merely a gesture and that Mr Goodwin was not aggressive or threatening in any way. Members considered the full meaning of the charge and adduced that they did not believe that the physical contact came within the meaning of the charge as noted on Page 179 of The FA Handbook under Offences Against Match Officials, item 91.2**

**The Commission Members unanimously found the Charge against Scott Goodwin NOT PROVEN.**

1. **Mr Goodwin was accordingly recalled before the Commission and was advised the verdict of the Commission.**

**Monday, 3rd December, 2018.**

**On behalf of the Kent County Football Association Ltd.**

**Terry Lawrence – Commission Chairman.**