

The Football Association Discipline Commission

(on behalf of Middlesex FA)

In the Matter of Faizan Mir

Case ID: 9866346M

Written Reasons for Discipline Commission decision held on 2nd July 2019

The Discipline Commission members were Keith Allen (Chair), Yunus Lunat and Bradley Pritchard.

Vicky Collins of Staffordshire Football Association acted as Secretary to the Commission.

The non-personal hearing took place over WebEx.

The following is a record of the salient points which the Commission considered and is not intended to be and should not be taken as a verbatim record of the hearing.

CHARGE:

By a Misconduct Charge Notification dated 30th April, Faizan Mir was charged with the following:

Charge 1: FA Rule E3 – Improper Conduct (including foul and abusive language)

Charge 2: FA Rule E3(2) Improper Conduct aggravated by a persons Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Sexual Orientation or Disability.

The charge arose out of the game on 30th March 2019 between Kensington Dragons FC and Lampton Park FC, in which Faizan Mir was alleged to used abusive language/behaviour of “oh just go and wank your husband” towards the match official. Furthermore, this charge is deemed to be aggravated due to an alleged reference to the sexual orientation of the match official contrary to FA Rule E3(2).

The Relevant Football Association Rules state:

Rule E3(1) reads:

A participant shall at all times act in the best interests 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.

Rule E3(2) reads:

A Breach of Rule E3 (1) is an “Aggravated Breach” where it includes a reference, whether express or implied, to any one or more of the following :- ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability. Mandatory minimum sanctions applicable to Aggravated Breaches are found in The Associations Disciplinary Regulations

Rule 47.1 of the Disciplinary Regulations reads:

Where a Participant commits an Aggravated Breach for the first time, a Regulatory Commission shall impose an immediate suspension of at least five Matches on the Participant. The Regulatory Commission may increase the suspension where additional aggravating factors are present.

Plea

Mr Mir did not respond to the charge; the Commission went on to consider the plea as not guilty on the relevant evidence.

Evidence

The panel considered the following evidence:

1. A report from match referee Jack Ohene dated 30th March 2019, in which he stated that “in the 85th minute after issuing Mr Mir with his second yellow card he refused to leave the field of play. I asked him on several occasions to leave which he did not. Each time he kept turning his back towards me protesting about the decision. One of his own players had to restrain him from getting toward me and usher towards the halfway line. During the incident he was very aggressive and loud with his remonstrations. When finally, he decided to leave I clearly heard him say “oh just go and wank your husband”. I was approximately 10 yards from him when he said this.
2. An email from Adam Donnelly Chairman/Secretary of Lampton Park FC, in which he said, “the exact wording was, whilst walking away from him in frustration “Ref go wank off your husband”. Whilst I was perhaps wrong in assuming his sexuality, I was not being derogatory towards homosexuals.”
3. Statements from Faizan Mir, Dougie Hillman, a club statement and pictures of injury to their captain sustained during the match which is also mentioned in the statements.”
4. All the statements accuse the referee of goading the players, giving no protection to the players, being unprofessional, being sarcastic, biased and negligently handling the match causing a toxic atmosphere. The Club statement goes on to add that “the team felt unprotected and when this was taken up with J. Ohene he proceeded to send off our captain.”
“Our captain did show dissent towards J. Ohene but feeling unprotected lead to his response and this lack of respect.
5. The Commission noted that: The Regulations set out that mere reference to a protected characteristic is offensive. It does not need to refer to a person who is present and in this case the referee does not have to be gay.

Conclusion

Having considered all the evidence, the Commission unanimously found the charge against Faizan Mir proven.

At this point the Commission considered the previous disciplinary record of Mr Mir over the last five seasons and in unanimously agreed to impose a sanction of a seven (7) match suspension, reduced to six (6) matches due to his previous record and a fine of £85.

SANCTION:

The following sanctions are a unanimous decision of the Commission.

- That Mr Mir will receive a 6-match ground ban from all football.
- That Mr Mir will be fined £85.
- Mr Mir shall be required to complete an online education course within the next 4 months failing which he shall be suspended from all footballing activity until his completion of the said course.

That the club will receive 7 penalty points against its record..

These decisions are subject to the relevant Appeal Regulations.

Keith Allen (Chair)

Yunus Lunat

Bradley Pritchard

2nd July 2019