

THE FOOTBALL ASSOCIATION DISCIPLINARY COMMISSION

*Sitting on behalf of the Oxfordshire Football Association in the case of*

JARED SMILE

Discipline Commission:       Royston Schafer, Chair  
  Peter Fisher- Independent Member  
  John Martin- Independent Member

Secretary                         Shane Comb

Date:                               12<sup>th</sup> March 2020

1.This is the decision and written reasons of the Discipline Commission considering the case of Jared Smile (JS) of Summertown Stars AFC.

2. By necessity, this is a summary document, and does not purport to contain all evidence and submissions. For the avoidance of doubt the Commission carefully considered all the written evidence, before us.

3. Jared Smile is a player of Summertown Stars AFC

4. By charge letter dated 18<sup>th</sup> February 2020 Jared Smile was charged with:

Charge 1: FA Rule E3 – Improper conduct against a match official including physical contact and threatening and / or abusive language / behaviour.

5. The Rule Provides.

*F.A. Rule E3*

*“(1) 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.’*

6.The handbook provides that 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 a match official.

7. Following an Oxford City League game between Summertown Stars AFC and Black Swan Cowley played on 11<sup>th</sup> January 2020 Jared Smile is alleged to have approached the referee remonstrating over a tackle committed on a Summertown player. The player (JS) is then alleged to have said to the match official “ who are you talking to like that” and alleged to have placed both hands on the referees chest causing him to stumble backwards. The referee then alleges that the player (JS) threatened to knock him out and the player (JS) was ushered away by teammates. It was then alleged that whilst walking back to the changing rooms Jared Smile approached the referee to apologise but during this apology said that the referee should not have put his hand on him first. The referee said he had not placed his hands on him and Mr Smile started to argue so the referee walked away to stop the situation from escalating.

8. Jared Smile pleaded guilty to the charge and for the case to be dealt with in his absence and any correspondence submitted to be taken into consideration by the committee.

9. Due to the fact that no witnesses were present at the hearing the commission reviewed the case using the written evidence of the following persons: -

Michael Bolton (Match Official)

David Gautrey, and Jared Smile (Summertown Stars)

10. Jared Smile stated that he had been witness to an incident to where one his fellow players had been subjected to a comment regarding that players sexual orientation. He refers to various tackles in the game where he felt action should have been taken and in the last minute of the game another poor tackle took place. The referee ended the game and was approached by Mr Smile and alleges that the referee placed his index and middle finger into his chest and pushed him. Mr Smile then alleges that he shouted at the referee “who does he think he is to put his hands on me and who does he think he is speaking to like that”. The referee showed the yellow card where upon Mr Smile pushed the referee and told him to get out of his face. Mr Smile was pulled away by his teammates. Mr. Smile then approached the referee on the way to the changing rooms saying he wanted to apologise and during the ensuing conversation the referee denied putting his hands on Mr Smile.

11. Based on the balance of probabilities the commission considered the facts of the case and all of the written evidence and came to a decision that the case was proved.

12. We noted the player's previous record and when considering the level of sanction we took into account the seriousness of the facts, the aggravating and mitigating circumstances.

13. We were guided by the sanctioning guidelines for a breach of FA Rule E3 the recommended punishment for improper conduct against a match official including physical contact and threatening/or abusive language/behaviour. The commission took into account that not only was the referee subjected to physical contact by pushing him but also to a verbal reference made by the player that he would knock the referee out.

14. We therefore considered the following suspension to be fair and proportionate

A 182 days suspension (ground ban)

B £150 fine

C 8 penalty points

21. The decision is subject to the right of appeal under the relevant FA regulations.

Royston Schafer (Chairperson)  
John Martin  
Peter Fisher  
15/03/2020