

Football Association Disciplinary Commission
In the matter of Aaron Williams (Case number 10957235M)
‘Chair-Alone’ Disciplinary Decision
16 November 2022

1. I, Ms. Stacy Newnham-Payne, am appointed to the Commission as Chair to conduct a non-personal hearing.
2. Mr. Aaron Williams was charged with a breach of FA Rule E3: Improper Conduct (including foul and abusive language). It was further alleged that this breach of Rule E3(1) was an “aggravated breach” as defined in Rule E3(2) as it includes a reference to Sexual Orientation.
3. The relevant sections of FA Rule E3 (FA Handbook Season 2022-2023) states:

“(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.

“(2) 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.”
4. This case was brought by Oxfordshire F.A. following a complaint made of comments placed on social media; namely ***“it’s a no 4 me if ur gay that’s ur business but I ent promoting it on the pitch or team photos my choice up to who ever does ur choice jus a no from me ps every man out here should love pussy real talk”***, or similar.
5. Mr. Aaron Williams responded to the charges, pleaded guilty and requested that the matter be dealt with in his absence. I had been provided with a small bundle of documents; including:
 - a. Charge Sheet;
 - b. Email correspondence from Ms. Steph Culley;
 - c. Screenshots of relevant social media post;
 - d. Email correspondence of Mr. Gavin Jewell;

- e. Email correspondence of Mr. Rhys Freemire; and
 - f. Response submissions from Mr. Aaron Williams.
6. Given the charges had been admitted, I proceeded to determine sanction and I consulted the 2022-2023 Sanction Guidelines. Mr. Aaron Williams's record was considered, and I noted there were no relevant prior charges to be taken into consideration. This amounted to a mitigating feature.
7. I was mindful of the sanctions guidelines which required me to start at an entry point of a suspension of 6 matches and to consider a fine. I reminded myself of relevant factors to consider when determining sanction. Further, I noted:

Exceptions to the Standard Minimum

A Regulatory Commission may only consider imposing a suspension below the Standard Minimum where the following specific (and exhaustive) circumstances arise such that the Regulatory Commission determines that the Standard Minimum would be excessive:

Where the offence was committed in writing only or via the use of any communication device and:

- ***Where the Regulatory Commission is satisfied that there was no genuine intent on the part of the Participant Charged to be discriminatory or offensive in any way and could not reasonably have known that any such offence would be caused; or***
- ***The age of the Participant at time of the offence (e.g. where the Participant was a minor at the time the offence was committed); or***
- ***The age of the offence (e.g. a social media post made a considerable time ago).***

For the avoidance of doubt, the existence of the circumstances above will not necessarily result in a departure from the Standard Minimum. A Regulatory Commission must be satisfied that the unique circumstances and facts of a particular case are of such significance that a departure from the Standard Minimum is justified to avoid an unjust outcome for the Participant Charged. In reaching a decision, the Regulatory Commission must also consider whether or not it is in the best interests of the game in tackling all forms

of discrimination to depart from the Standard Minimum. In any event, a Regulatory Commission shall impose a suspension of no less than 3 Matches.

8. I concluded, on balance, there were insufficient grounds to consider departing from the starting position. I did not accept that "...[he] ***could not reasonably have known that any such offence would be caused...***". Further, the post was recent. Consequently, Mr. Aaron Williams is sanctioned to a 6-game suspension together with a £75 fine and 6 penalty points. Mr. Aaron Williams is also required to attend an online FA education course before the suspension is served. Failure to complete the mandatory FA Education course within the relevant timeframe shall initiate the automatic suspension of Mr. Aaron Williams from all football and football related activity until such time as the mandatory FA Education course has been successfully completed.
9. This decision is subject to the right of appeal in accordance with the relevant regulations within The FA Handbook.

Stacy Newnham-Payne,

Chairman

16 November 2022