

## **Disciplinary Commission (“The Commission”)**

**On behalf of Oxfordshire FA**

**In the matter of Mr John Travers - Case ID: 10319452-M**

### **Non-Personal Hearing Summary including Written Reasons**

#### The Commission

1. This is the non-personal hearing summary and the written reasons for the decisions of the Disciplinary Commission, which considered the case of Mr John Travers on behalf of Oxfordshire FA on Monday 25<sup>th</sup> January 2021.
2. Mr Nick Leale (Chair), was appointed by the FA to consider the case alone on the basis of the written material.

#### The charges

3. Mr Travers was charged by Oxfordshire FA in respect of the following matters:-

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 followed the alleged misconduct of Mr Travers (player for Easington Sports Clan FC) during a match against Summertown AFC Reserves FC on 31<sup>st</sup> October 2020.

#### Key background facts and evidence

4. The following is a summary of the key submissions provided to the Chair. It does not contain reference to all the points or submissions made and the absence of any point does not mean that it has not been considered.
5. For the avoidance of doubt, the Chair has carefully considered all the evidence and materials in respect of this case.
6. The FA had received a complaint from the manager of Summertown AFC Reserves FC on 2<sup>nd</sup> November 2020.
7. It was alleged that Mr Travers called an opposition player a "faggot" after tackling that player, who had stayed on the floor after the tackle.
8. On 11<sup>th</sup> December 2020, Oxfordshire FA notified Mr Travers' club of the misconduct charge being brought against him, as outlined above.
9. After an initial denial Mr Travers indicated on 24<sup>th</sup> December 2020 that he accepted both charges against him.

#### Summary of further relevant evidence

10. The written evidence considered by the Chair included:
  - Report of match referee Mark Lygo, who did not hear the use of the word 'faggot'.

- Statement of Dylan Smith, Manager of Summertown AFC Reserves, who reported the complaint to the referee and opposition manager during the game and later to the FA.
- Statement of Thomas Farrell, Summertown AFC Reserves player, who states that the word 'faggot' was used towards him by Mr Travers after he was tackled by him.
- Statement of Daryl Smith, Summertown AFC Reserves player, who also heard the word used towards Thomas Farrell.
- Statement of Ben Evans, Summertown AFC Reserves player, who also heard the word used towards one of his team mates.
- Various e-mail statements of members of Easington Sports Clan FC stating that they did not hear the use of the word or denying the use of the word on behalf of Mr Travers. These statements included an initial denial by Mr Travers of having used the word 'faggot' in an e-mail dated 30<sup>th</sup> November 2020.

#### Decisions and reasons

11. The Chair carefully considered all of the written provided.
12. The burden of proof rests with the County FA.
13. The standard of proof is the civil standard; the balance of probability. In simple terms, the Commission has to be satisfied, on the evidence, that it was more likely than not that an event had occurred.
14. The Chair found the charges proved on the basis of Mr Travers' admissions of guilt.
16. Mr Travers' disciplinary record showed no previous misconduct findings.
17. When considering the issue of sanction the Chair took into account the 'Standard Minimum' starting point of a 6 match suspension. The Chair noted that no relevant exceptional circumstances were present that would cause the Standard Minimum to be excessive. The Chair also noted that, albeit somewhat belatedly, Mr Travers admitted the offences and also that this was his first such offence.
18. The Commission therefore imposed the following sanction in respect of this matter:
  - a suspension from all football for 6 matches;
  - a fine of £50;
  - 5 club disciplinary penalty points to be recorded.
  - a requirement that Mr Travers undertake an on-line FA Equality Education Course within 4 months and should he fail to do so he is to be suspended from all footballing activities until such time as he does undertake the course.
19. This decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Nick Leale (Chair)

25<sup>th</sup> January 2021

