

THE NATIONAL COUNTY FA SERIOUS CASE PANEL

Sitting on behalf of Surrey FA

A NON-PERSONAL HEARING

of

**DARA FC
(CASE ID: 11032461M)**

DECISION AND REASONS

Introduction

1. On 13th December 2022 the Football Association convened a National CFA Serious Case Non-Personal Hearing on behalf of Surrey FA to adjudicate on disciplinary charges levied against Dara FC (“Dara”).
2. The following panel member was appointed to hear this matter:
Mr Richard Stubbs, member of the National CFA Serious Case Panel
3. By charge letter dated 29th November 2022 Dara was charged in relation to the behaviour of one of its spectators who was alleged to have slapped the cards out of the referee’s hands in a match between Dara Reserves v FC Vauxhall Virgins Vs in the League Eight – Southern Sunday Football League on 30th October 2022.
4. Dara is charged with:
 - 4.1. A breach of FA Rule E21 – Failure to ensure spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any Match
5. It is alleged that Craig Dendy, a Dara spectator, slapped the cards out of the referee’s hands or similar.
6. On 4th December 2022 Dara indicated that the charge was admitted and that they would like the matter to be dealt with in their absence in a non-personal hearing.
7. I therefore have to determine the appropriate sanction for the admitted misconduct based on my findings and other relevant matters.
8. The applicable FA Rule E21 states:

“E21 A Club must ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any Match and do not:

- E21.1 use words or otherwise behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative;*
- E21.2 throw missiles or other potentially harmful or dangerous objects at or on to the pitch;*
- E21.3 encroach on to the pitch or commit any form of pitch incursion;*
- E21.4 conduct themselves in a manner prohibited by paragraph E21.1 in circumstances where that conduct is discriminatory in that it includes a reference, whether express or implied, to one or more of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.”*

The Evidence

9. I had regard to all of the evidence before me, that any particular evidence or document is not referred to below does not mean that it was not taken into consideration in reaching my findings.
10. I was provided with an extraordinary incident report from the referee, which included that the “coach” – Mr Dendy – was warned by him for shouting abuse towards the referee and that when this continued Mr Phillips, the referee, walked over to Mr Dendy who said that he had not said anything and slapped the cards from his hand, calling him a “fucking prick”, resulting in the issuing of a red card.
11. Dara subsequently indicated that the reason for the slap was that Mr Dendy stumbled and tried to catch his balance by taking hold of the referee, knocking the cards from his hand. Mr Phillips indicated that this was not correct, and that Mr Dendy was irate and slapped the cards from his hands. He stated that he accepted Mr Dendy’s apology at the end of the match.
12. Mr Dendy provided a statement in which he said that he normally uses crutches due to an injury and that he lost balance which caused him to knock the referee’s cards from his hands. He denies calling the referee a “prick”.

13. Sam Vince, a player for Vauxhall, corroborates the referee's account that the cards were knocked from his hands in an angry manner.
14. Dara pleaded guilty to the charge, indicating that Mr Dendy was no longer welcome at their matches but they did believe that the contact was accidental, although Mr Dendy's behaviour was well short of the expectations of a Dara supporter.

Sanction

15. I considered the relevant rules under FA Rule E20, E21, E22, Disciplinary Regulations 40 and 41, the FA Sanction Guidelines and the FA Charging Policy and Sanction Guidelines for Spectator Misconduct issued by the FA.
16. Given the guilty plea I was provided with Dara's record, which had no other relevant crowd matters on it. I therefore took the record and guilty plea into account as mitigating features. I also considered that the guilty plea should be taken as an acceptance that the cards were slapped from the referee's hand, as that is the basis of charge. Should it be necessary I also find that to be more likely than not in view of the referee's evidence and that of the Vauxhall player.
17. I had regard to the circumstances and seriousness of the incident, which included that only one spectator was involved, and Dara have since excluded him from their matches. The incident was short, although it appears that Mr Dendy had been acting in an inappropriate manner for some time and had not been prevented from doing so by Dara. No injury was caused, and Mr Dendy apologised afterwards. The game was not abandoned and the conduct only had a minor effect on it.
18. I consider that taking into account all of the circumstances and applying the sanction guidelines for E21 breaches for teams outside the NLS leagues, the appropriate sanction is:
 - i. A £75 fine.

19. There is a right of appeal against this decision in accordance with the relevant provisions set out in the Rules and Regulations of the Football Association.

Mr Richard Stubbs

13th December 2022