

Football Association Disciplinary Commission
In the matter of George Tyson (Case number 10981875M)
Disciplinary Commission Decision
1 December 2022

1. The members of the Commission were Mrs Stacy Newnham-Payne (Chairperson), Mr. David McWilliam and Mr Minesh Gupta.
2. Mr. George Tyson was charged with a breach of FA Rule E3: Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour).
3. The relevant section is FA Rule E3 (FA Handbook Season 2022-2023) states:

96.1 Threatening behaviour: words or action that cause the Match Official to believe that they are being threatened. Examples include but are not limited to: the use of words that imply (directly or indirectly) that the Match Official may be subjected to any form of physical abuse either immediately or later, whether realistic or not; the raising of hands to intimidate the Match Official; pretending to throw or kick an object at the Match Official.

4. This case was brought by Surrey F.A. following a complaint made of words and conduct at a match against Banstead Eagles First on 16 October 2022. It is alleged Mr. George Tyson followed the referee to the dressing room in a threatening manner. It is reported:

"After the game the manager of Sutton Kings came on to the pitch asking me to come to one side and have a word with. I informed him I fear my safety and didn't wanna talk to him despite this the manager proceeded to follow me for 25 yards on the way to the changing room standing in my way which I had to walk around."

5. Mr. George Tyson formally responded to the charge, pleaded not guilty and requested that the matter be dealt with at a personal hearing. The Commission reminded itself that the burden of proof was on Surrey FA to prove on the balance of probability; meaning the Commission would be satisfied an event occurred if it considered that, on the evidence, the occurrence of the event was more likely than not.

6. The Commission had been provided with a small bundle of documents including the charge sheet, extraordinary incident report and follow-on emails of Mr. Samuel Tuohy (Referee) and response submissions of Mr. George Tyson.
7. At the hearing, the charge was read, and the Commission proceeded to hear from Mr. Samuel Tuohy. The Commission noted the written submissions received and Sam was invited to add, retract or change the content of the same. This offer was declined.
8. Sam described this match to have been a difficult fixture due to Sutton Kings failing to concentrate on football and instead **"moan about everything"**. Sam explained that he came to fear for his safety due to the approach of George. The Commission was told George had been cautioned earlier in the game for having encroached onto the field of play. He was later described to have **"marched"** up to Sam, appearing **"unhappy"** and **"angry in the face"**. Sam explained he was concerned for his safety and suspected that no matter what he said George would not be appeased.
9. Sam impressed upon the Commission that he was uncomfortable with George wanting to **"pull him to one side"**. He averred that he repeated to George he did not want to speak and upon him walking away he was followed. Moments later, Sam described George to have deliberately stood in front of him blocking his way in a bid **"to put a little fear"** into him. Sam stated he had to walk around George to get away and "picked up the pace" so to ensure he was able to leave the changing room before George arrived.
10. Sam insisted he was not fearful because of the behaviour suffered from the Kings player (associated case) because opposing team members were quick to intervene. Further, he stated when confronted by a manager he would normally issue a red card but on this occasion due to fears of safety and in a bid to avoid escalation he decided against such action.
11. George was invited to offer his version of events. He explained that he had some familiarity with Sam having been refereed by him on a couple of occasions. He stated he was considered to be a "frustrating referee" at times. He explained his team had arrived in similar colours to the referee and so he asked Sam if he wouldn't mind wearing his jacket. This request was declined, and George considered the same had been done so rudely and that Sam was abrupt. He recalled walking away to speak with their lead secretary when he turned to observe Sam rummaging through his kit bag for

bibs before insisting that his team wear the same. George impressed upon the Commission that this behaviour was not welcomed.

12. George furthered to state that he and many of his team had felt Sam had been "targeting" Lenny but conceded there had later been an altercation between the referee and Lenny. George averred he marched onto the pitch in a bid to resolve the matter and to ensure Lenny was removed. For this he received a yellow card for which he thought was a little harsh.
13. George came to recount his attempt to have a conversation with the referee at the conclusion of the game. He denied "marching" or behaving in a threatening way. Further, he insisted that his request to come to one side was simply to encourage others away. George commented that he, with hindsight, understands why Sam might have felt "intimidated" but sought to impress upon the Commission that he did not wish to threaten the referee in anyway.
14. Upon Sam refusing to speak with George he accepted he then proceeded to follow Sam but simply because he intended to walk in that direction. George's 5-year old son was present also and again George averred that he would not wish to demonstrate threatening behaviour in front of his child. George accepted there was a brief occasion when he was stood in front of Sam but insisted such occurred naturally and not because of his desire to "block" Sam or indeed to frighten him. George accepted he may have uttered an expletive under his breath when frustrated with Sam not wishing to speak with him. George repeatedly acknowledged that Sam may have indeed felt intimidated and that with hindsight accepted it would have been better for him to have simply walked away.
15. George confirmed that he felt that he had been afforded a fair hearing.
16. The above is a summary of the principal submissions provided to the Commission. It does not purport to contain reference to all the points made, however the absence in these reasons of any particular point, or submission, should not imply that the Commission did not take such point, or submission, into consideration when it determined the matter. For the avoidance of doubt, the Commission has carefully considered all the evidence and materials furnished with regard to this case.
17. The Court considered the oral and written evidence available and unanimously found, upon the balance of probabilities, the charge proven. The Commission noted George largely conceded to the

charge in that he, albeit within hindsight, considered his behaviour likely caused the Referee to feel intimidated. The Commission was content that such was sufficient to find threatening behaviour; particularly as Oxford Learner's Dictionary define the verb 'intimidate': to frighten or threaten someone.

18. Given the charge had been found proven, the Commission proceeded to determine sanction and consulted the FA Rules and 2022-2023 Sanction Guidelines. George's record was considered, and the Commission noted there were 3 relevant prior charges. This amounted to an aggravating feature.

101 Where a Charge issued in accordance with paragraph 98.1 above has been found proven against the Participant, a Disciplinary Commission shall impose sanctions in accordance with this paragraph 101:

Sanction range (Suspension)

A Disciplinary Commission shall impose an immediate suspension within a range based on the category of offence committed (as set out below). A Disciplinary Commission shall take all aggravating and mitigating factors into account, including, but not limited to, those listed in paragraph 102, when determining the level of sanction within the range.

Unless otherwise stated, the lowest end of the applicable range shall operate as a standard minimum suspension. A Disciplinary Commission may impose an immediate suspension in excess of the upper limit in circumstances where aggravating factors of significant number or weight are present.

Threatening behaviour:

101.1 suspension from all football activity for a period of between 56 days and 182 days. The recommended entry point, prior to considering any mitigating or aggravating factors, is 112 days.

101.2 a fine of up to £100, with a mandatory minimum fine of £50.

101.3 an order that the Participant completes an education programme before the time-based suspension is served.

19. With regards to above, and on this occasion, the Commission concluded it was appropriate to sanction Mr. George Tyson to 112-day suspension from all football activities; together with a £75 fine and 6 penalty points. The Commission noted the aggravating feature of prior conduct but also noted the concessions made. Further, the Commission considered the nature of the offence and concluded

such was fortunately at the 'lower end' of seriousness. Mr. George Tyson is also to attend an online education programme before the time-based suspension is served.

20. This decision is subject to the right of appeal in accordance with the relevant regulations within The FA Handbook.

Stacy Newnham-Payne

Chairman

1 December 2022