

**The National CFA Panel**

**(on behalf of Sussex FA)**

**In the Matter of**

**Ali Liviu Zaharia**

**Non-personal hearing**

**Case ID: 10023640-M**

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**Reasons for National CFA Panel decision Friday, 13 December 2019.**

The Discipline Panel was Mr. Karamjit Singh appointed by The Football Association.

The following is a record of the salient points which were considered and is not intended to be and should not be taken as a verbatim record of the hearing.

The case was considered on paper by the Panel.

**CHARGES:**

It should be noted that arising out of a match between Hove Park Rangers v FC Dacian Wolves on 10 November 2019:

**Charge 1:** FA Rule E3 –Assault on a Match Official

It was alleged that Mr Zaharia breached Rule E3(1) by spitting at a Match Official.

**HEARING:**

1. Mr Zaharia admitted the charge in a form dated 14 November 2019.
2. The Panel had before it a bundle of documents which were read before convening.
3. The bundle consisted of the following:
  - a. Various emails of Mr P IZARD (Match Referee), Mr O Powell (Sussex FA Football Services Manager), Mr G Manville-Dickens (witness) and Mr I South.
  - b. Response to charge form dated 14 November 2019.
4. The Football Association and County Football Associations take matters of this nature very seriously. For someone to be abused as alleged is a serious matter and equally so for someone to be accused of such behaviour.

5. In relation to Charge 1, The Panel had before it the Match Referee's email dated 11 November 2019. By way of background, Mr Izard described a strongly spirited match between Hove Park Rangers v FC Dacian Wolves.
6. During the second half of the match, the Match Referee had cause to issue a yellow card to a FC Dacian Wolves player. At this point, Mr Izard was called a racist. The Match Referee called over the FC Dacian Wolves captain and advised him that such conduct was unacceptable. With only a few minutes of the match remaining the Match Referee had cause to issue another yellow card. However, before the sanction could be applied Mr Zaharia spat in Mr Izard's face. Following which, he was given a red card.
7. Mr Zaharia pleaded guilty to Charge 1 on 14 November 2019. Mr Zaharia asked for the matter to be dealt with in his absence.

**CONCLUSION:**

8. The following conclusions and sanction (where appropriate) were made by The Panel.
9. We reminded ourselves that the standard of proof is the civil standard of 'on the balance of probability'. That means the Disciplinary Panel has to be satisfied, on the available evidence the incident was more likely than not to have occurred. In particular, that Mr Zaharia spat at Mr Izard.
10. In the light of the Mr Zaharia's admission, Charge 1 was found proven.
11. The Panel noted Mr Izard's comments that this incident was extremely distressing. Further, it was concluded that such behaviour can never be justified and was completely unacceptable.

**MITIGATION:**

12. We were pleased to hear that Mr Zaharia did not have any record of previous similar misconduct. Further, the Panel took into account Mr Zaharia's early admission of guilt.
13. The Panel noted the apology on behalf of the FC Dacian Wolves by Miss C Lordache. It is clear from her correspondence that Mr Zaharia's behaviour was in no way being condoned and was not to be considered as reflective of the team.

**SANCTION:**

14. Alin Liviu Zaharia:
  - a) Will be suspended for 7 years from all football and footballing activities.
  - b) Severe warning as to future conduct.

**APPEAL:**

15. This decision may be appealed in accordance with the relevant regulations within the prevailing FA Handbook.

Karamjit Singh.

13 December 2019.