

THE FOOTBALL ASSOCIATION DISCIPLINARY COMMISSION

Sitting on behalf Sussex County Football Association in the Case of

BEN DINNAGE

THE DECISION AND REASONS OF THE COMMISSION

Discipline Commission: Ifeanyi Odogwu, Independent Legal Panel Member.

Secretary: Paras Akhter, Anti - Discrimination Administrator

Date: 10 November 2019

1. This is the decision and written reasons of the Discipline Commission considering the non-personal hearing of Ben Dinnage ("BD").
2. By charge letter dated 1 October 2019 BD was charged with:

Charge 1: FA Rule E3 - Improper Conduct against a Match Official (including abusive language/behaviour)

Charge 2: FA Rule E3(2) - Improper Conduct - aggravated by a person's Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Sexual Orientation or Disability.

3. The Rule provides.

"(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 to any one, or a combination of the following:- ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability."

4. Following a fixture between Peacehaven & Telscombe Reserves v AFC Ringmer in Montgomery Cup on 21 September 2019, the FA received an Extraordinary Incident Report Form from Ian Lane, the Referee, dated 22 September 2019 where it was alleged BD called the Refere *"When sending off Player Ben Dinnage as he left the field of play he turned back to me and shouted "FUCK OFF REF YOU MONG"*
5. BD admitted Charges in his response, dated 4 October 2019. He requested the case to be dealt with in his absence. I accept this plea, as the term "mong" is derogatory slang referring to a person with disabilities. I therefore consider this to be aggravated language contrary to FA Rule E3(2).
6. In considering sanction, I took into account the aggravating and mitigating circumstances. The fact that the abusive word was directed at a Match Official following being already dismissed, was an aggravating factor. On the other hand, the comment was said once and not repeated. I considered BD's history which did not include any previous misconduct offences, and gave credit for admitting the charge.
7. I had regard to the minimum sanction guidelines for aggravated breaches.
8. Taking the above into consideration, the Commission made the following orders, which is unanimously considered fair and proportionate;
 - a. Suspension from six (6) qualifying matches.

- b. Fined the sum of £75
 - c. Online Education Workshop to be conducted within 4 Months
 - d. 7 penalty points to the Club.
9. The decision is subject to the right of appeal under the relevant FA Regulations.

Ifeanyi Odogwu (Chairperson)

10 November 2019