

Football Association Regulatory Commission (the 'Commission')
in the matter of a Wrongful Dismissal claim brought by Sheffield
United (the 'Club') on behalf of Chris Basham (the 'Player')

Regulatory Commission Decision

1. These are the written reasons for a decision of the Independent Regulatory Commission which sat on 27th December 2014.
2. The Commission members were Mr S Ripley (Chairman), Mr A Hardy and Mr P Barnes.
3. The Commission were advised on the laws of the game by Mr A Wiley of the Referee Advisory Panel.
4. Mr M Ives of the FA Judicial Services Department acted as Secretary to the Regulatory Commission.
5. It should be noted that for a claim of wrongful dismissal to be successful the Player and his Club must establish that the Referee has made an obvious error in dismissing the Player.
6. The relevant incident took place in the 44th minute of the Port Vale FC v Sheffield United FC, Football League 1 fixture on Friday 26th December 2014.
7. In his Official Report Form the Referee, Mr Stuart Atwell, stated that, after consulting with his Assistant Referee, Mr Anthony Tankard, he sent the Player from the field of play for serious foul play because the Player had *"slid into a challenge with an opposing player. In doing so, he failed to win the ball, and fouled the opposing player"*.

8. The Referee stated that he had been advised by the Assistant Referee that the challenge had been made *“with an outstretched leg, and studs showing”*, and that *“the player had made contact high on the shin of the opposing player”*. He was further advised by the Assistant Referee that *“the challenge was reckless, made with intensity, and clearly endangered the safety of the opponent”*.
9. The Assistant Referee, Mr Tankard, reiterated the above in his report, adding that he was *“approximately fifteen yards away from the incident with a clear view”*
10. The Panel took note of the video evidence submitted by the Club which showed the incident.
11. The Panel took note of a letter submitted by the Club dated 26th December 2014.
12. The Panel did not feel that the video footage submitted by the club was particularly helpful in that it was taken from only one angle which was from on high and from quite a distance which made a detailed assessment of the incident rather difficult.
13. That said, from the footage that was submitted, the Panel felt that the Player had lost control of the ball with his first touch and that in his attempt to regain possession he had made a lunging slide-tackle that was made at speed and that his studs were showing on his leading leg at the moment of contact, which was late. The Panel could not discern from the footage whether or not the Player had made contact with the shin of his opponent as stated in the Referee’s Report but felt that the challenge was made at an intensity such that it was not unreasonable for the Referee and his Assistant to conclude that it had endangered the safety of his opponent.

14. Thus, having taken everything into consideration the Commission unanimously felt that the decision to dismiss the Player was not an obvious error by the Referee and that the claim for wrongful dismissal should be dismissed.

15. The Commission did not consider the claim to have had no prospect of success and therefore did not increase the standard suspension for this offence.

Stuart Ripley

Regulatory Commission Chairman

28th December 2014