

FOOTBALL ASSOCIATION REGULATORY COMMISSION

**In the matter of proceedings brought pursuant to the Football Association
Rules for the season 2014-2015**

THE FOOTBALL ASSOCIATION

-AND-

BLACKPOOL FOOTBALL CLUB

Commission:

David Casement QC (Chairman)

Barry Bright

Peter Fletcher

**WRITTEN REASONS OF THE REGULATORY COMMISSION
IN RESPECT OF SANCTION**

1. Blackpool Football Club (“the Club”) was found by the Regulatory Commission to be in breach of Rule E20 of The Football Association Rules 2014-15 as a result of the events leading up to and during the pitch incursion that occurred at Bloomfield Road on 2 May 2015 in the match between the Club and Huddersfield Town FC and which led to the match being abandoned. The Commission handed down written reasons dated 13 July 2015 (“the Decision”) in respect of the substantive offence following a personal hearing at Wembley on 7 July 2015. The background to the offence and detailed findings of the Commission are set out in the Decision and are not repeated herein.
2. In the Decision the Commission invited the Club to make representations regarding sanction and to inform the Commission as to whether it wished to make submissions at a personal hearing, by telephone or in writing. The Club opted to make written representations in writing which were

received on 22 July 2015. The Football Association also made written submissions which were also received on 22 July 2015. The Commission has taken into account all of the submissions made by the parties as well as the evidence previously presented at the personal hearing.

3. The Commission regards the offence for which the Club has been found liable to be a serious one. The specific failings in both planning and execution that were identified in the Decision were serious failings which led to serious consequences. The sanction that is appropriate is one which must reflect both the serious failings by the club and the serious consequences that followed.

4. The following matters are highlighted by the Commission:

4.1 although the Club has now been relegated the offence occurred whilst the Club was playing in the Football League Championship and the sanction is that which would be appropriate for a Championship club in the absence of compelling reasons to treat the Club otherwise;

4.2 the failings in both planning and implementation identified in the Decision were both serious and obvious;

4.3 the Club did not admit the offence but rather fought the charge all the way. Any credit that would have been available to the Club from an early admission of breach cannot therefore be given to the Club;

4.4 the serious consequences that are likely to have flowed from the serious failings by the club were:

(a) a pitch incursion in which between 100 and 200 people occupied the pitch;

(b) the game was abandoned after the 48th minute.

4.5 the abandonment of the game as a consequence of a pitch incursion is something which makes the offence a particularly serious one as far as this Commission is concerned. Supporters including the Huddersfield supporters had travelled quite some distance to watch and enjoy a football game in safety. In the events which happened they only got to see half a game and what should have been the second half of the game turned into a pitch incursion involving an intimidating and frightening atmosphere which was utterly unacceptable;

4.6 a pitch incursion which leads to a game being abandoned is a, thankfully, rare occurrence as a result of thorough planning and execution of plans throughout football clubs generally. The scale and continuation of the incursion in the present case so as to lead to abandonment was as a result of the poor planning and execution by the Club;

4.7 at the time of the match the Club did not have a copy of the match specific risk assessment. That is a serious failing on the part of those who are responsible for match safety;

4.8 there was no serious attempt made by the Club to end the pitch incursion. It appeared as though the Club was resigned to permitting the incursion to continue once it had started;

4.9 the Club in its written submissions has indicated that it is in discussions with Lancashire Police regarding further steps that could be taken in future to prevent a recurrence including netting and the use of the cordoning technique to remove people from the pitch after a pitch incursion has taken place. Whilst the Commission welcome such steps, as well as all other steps to prevent a recurrence, it is a feature of this case that those steps should have been considered long

before the events in question occurred and it remains a mystery as to why they were not properly considered;

4.10 the Club also in its written submissions has highlighted the absence of violence and injuries. We agree with The FA's submissions that the fact that there was no violence was a matter of good fortune rather than to the credit of the Club.

5. The Club relies upon The FA's "Guidance for Participants and Clubs on Disciplinary Matters" ("the Guidance") and refers to the decision in The FA v Aston Villa. Each of these types of cases turns on its own facts. The Guidance is not directly relevant to the situation in the present case which is a pitch incursion and in fact a pitch incursion which led to an abandonment of the game. The reasoning at paragraph 156 of the Aston Villa decision is persuasive:

"We considered this type of breach to be more serious than a mass confrontation of players (defined as 2 or more players) or the surrounding of the match official (defined as 3 or more players.)"

6. The sanction which the Commission regards as proportionate for a first offence of this type by the Club as well as appropriate in order to underline the seriousness of the offence including its consequences in this case and the culpability of the Club is as follows:

6.1 the Club is given a severe warning as to its future conduct;

6.2 the Club is fined the sum of £50,000 to be paid in accordance with The FA Judicial Services terms of payment;

6.3 the Club will play its first home competitive game of next season behind closed doors, that is in the absence of home and away supporters. This part of the sanction will be suspended for a period of one year and will be immediately effective in respect of the game following (whether in that current season or the following season)

any further pitch incursion that results in a suspension of play
whereby the referee directs that players shall leave the field of play;
6.4 the Club shall pay the costs and expenses incurred in respect of the
Commission which sum shall be notified to the Club by The FA.

7. The Decision and the sanction is subject to the right of appeal under the relevant FA Rules and Regulations.

DAVID CASEMENT QC (Chairman)

29 July 2015

Signed on behalf of the Regulatory Commission