

**THE FOOTBALL ASSOCIATION
GENERAL APPEALS PANEL**

Appellant: Mr Lee Teagle
Respondent: Hertfordshire Football Association
Date: 9 September 2022
Incident date: 4 June 2022
Appeal: Paper

WRITTEN REASONS AND DECISION

A. THE APPEAL BOARD

1. The Appeal Board comprised Jonathan Darby (Chairperson, Football Panel Member), Christine Harrop-Griffiths (Football Panel Member) and Peter Clayton (FA Council Member). None of the Appeal Board Members had any conflict of interest arising out of the Appeal.
2. The Appeal Board was assisted by Vicky Collins (National Secretary, Staffordshire FA) sitting as Secretary.
3. The Appeal was heard as a Paper Hearing, with the Appeal Board conducting their discussions via video-conference on Microsoft Teams.

B. SUMMARY BACKGROUND

4. On 10 June 2022, the Respondent charged the Appellant with a breach of FA Rule E3 - Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour).
5. For completeness, Rule E3 states inter alia that:

“E3.1 A participant shall at all times act in the best interests 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.”

6. The Charge Letter alleged as follows:

“It is alleged that Lee Teagle used threatening and/or abusive and/or indecent and/or insulting language/behaviour contrary to FA Rule E3.1 and it is further alleged that this constitutes Threatening Behaviour Against a Match Official as defined in FA Regulations. This refers to the allegation that Mr Teagle said “you’re fucking shit” and “I’ll fucking slap you, you little knob” or similar towards a 16 year old match official.”

7. The incident in question took place during a match between Ware Youth FC and Ware FC Academy U8 Blues at a tournament held at Wormley FC on 4 June 2022.

8. The Charge was based upon the following evidence:

a. Official Report Form for referees (dated 5 June 2022); and

b. Official Club Report form, completed by Wormley FC’s Welfare Officer (dated 6 June 2022)

9. The Appellant provided no response to the Charge by the applicable deadline, despite an email having been sent by the Respondent to the Secretary at Ware Youth FC (dated 23 June 2022, at 09:56) [Appeal Bundle, p.19].

10. The Disciplinary Commission, sitting on 29 June 2022, found the charge proven and imposed a 225-day suspension (from 13 July 2022) and a £85 fine. The Disciplinary Commission also ordered the Appellant to complete an online Education course and imposed 6 Club penalty points.

11. The Disciplinary Commission provided its decision and written reasons (dated 29 June 2022) [Appeal Bundle, p.26]. In its decision, the Disciplinary Commission noted: a) the

background (para 1); b) the Charge (para 2); and c) the Evidence (paras 3 – 5.2), before setting out its decisions on liability (paras 6 – 10.5) and sanction (paras 11 – 17).

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12. On 18 July 2022, the Club contacted the FA's Judicial Services to indicate that they wished to challenge the first instance decision.
13. On 20 July 2022, having being advised that the matter was out of time due to the date of provision of the written reasons, the Club submitted an application to appeal out of time.
14. On 12 August 2022, an Appeal Board Chair, Mr Roger Burden, ruled that the Appellant's application to appeal out of time was accepted, on the basis that the appeal was submitted on time due to the decision letter being issued on 11 July 2022, rather than the timeframe running from 1 July 2022, in accordance with the Non-Fast Track Appeal Regulations of the FA Handbook 2022/23 ("**the Regulations**"). For the avoidance of doubt, Mr Burden did not play any part in the Appeal Board who heard the Appeal.
15. On 17 August 2022, the Appellant submitted a Notice of Appeal requesting a paper hearing [Appeal Bundle, p.3], citing as a sole ground of appeal an alleged failure to give the Appellant a fair hearing.
16. In an accompanying document (dated 14 July 2022) [Appeal Bundle, p.4 - 6], the Appellant provided a detailed account of his recollection of the incident in support of his Appeal, which he described as "*an account of events*" and "*purely an accurate account of events from [his] perspective, which has yet, been unheard*".
17. By correspondence dated 26 August 2022, the Respondent provided its observations on the Appeal [Appeal Bundle, p.31], including as follows:
 - a. A summary of the incident and evidence upon which the Charge was based (paras 1 – 6);

- b. In respect of the lack of response to the Charge (para 7):

“A charge was raised on 10th June 2022, and the Club failed to respond. A reminder email was sent to the club secretary on 23rd June, as the deadline with the next day. Where a participant fails to comply with applicable deadlines, the right to a personal hearing or right to make a plea in mitigation is forfeited and the discipline commission may deal with the reported misconduct on the evidence available. The case was submitted to The FA for consideration by The FA’s National Serious Case Panel on 27th June 2022.”

- c. Comments as to the manner in which the case was dealt with (para 8); and

- d. Observations arising for the Appeal Board’s attention (paras 9 and 10) including that:

“There are no specific details within the appeal as to why Mr Teagle has opted to appeal on the ground of “failed to give a fair hearing”, making it difficult to respond to this ground of appeal, however he has provided new evidence around the incident, that was not available to the first instance chair.”

18. The Appeal Board also noted inter alia email correspondence from the Chairman of Ware Youth FC to the FA’s Judicial Services (dated 20 July 2022, at 14.52) [Appeal Bundle, p.44], which stated:

“I think it’s only fair to allow Mr Teagle the right to appeal.

He has not received any direct contact regarding this investigation. This is an error on the club’s behalf.

This has all been addressed within the club, due to the lack of communication and incorrect email address for Mr Teagle.

Also, If the FA have tried to contact Mr Teagle during this process, he has not received any contact due to the above issue.”

19. For the avoidance of doubt, the above is intended only as a summary of the principal submissions made by the parties. It does not purport to contain reference to all the

points made, or to all the statements and information provided, however the absence in these reasons of any particular point, or submission, should not imply that the Appeal Board did not take such point, or submission, into consideration when it determined the Appeal.

20. In reaching its decision, the Appeal Board noted that the Appeal was brought with reference to a single ground of appeal; namely that the Disciplinary Commission failed to give the Appellant a fair hearing. In this regard, the Appeal Board noted inter alia that:

- a. At first instance, neither the Appellant nor Ware Youth FC provided a response to the Charge within the relevant deadline.
- b. The Disciplinary Commission provided detailed and thorough reasons for its decision, including with reference to the available evidence.
- c. The Appellant's appeal submissions directly addressed the suggestion that he had not received a fair hearing only briefly (and somewhat tangentially), as follows:

"By the time I received any information about this complaint from Hertfordshire FA via my Club, Ware Youth FC, I was only given 24 hours to respond. I work within the emergency services and therefore I was unable to submit an appeal within the required period."
- d. The remainder of the Appellant's appeal submissions simply provided (in his own words) *"an account of events"*.
- e. The email correspondence from the Chairman of Ware Youth FC acknowledged that the Appellant was provided with limited (if any) notice of the Charge and associated investigation as a result of *"an error on the club's behalf"*.

21. Taking all relevant matters into account, the Appeal Board concluded that, in essence, the Appellant's complaint as to fairness was limited to a complaint that he had been provided with insufficient time to fully set out his account of events for the purposes

of the first instance decision. However, properly understood on the facts, the Appeal Board noted that the substance of that complaint was properly to be directed towards possible failure(s) on the Club's behalf, rather than any lack of procedural (or any other) fairness associated with the conduct of the first instance hearing and/or the Disciplinary Commission's decision.

C. OUTCOME

22. The Appeal board, having taken into account the submissions of the parties and having given the Appeal Bundle careful consideration, unanimously dismissed the Appeal on the ground that it was felt that the Appellant did receive a fair hearing.
23. There was no order made as to costs and the appeal fee is to be forfeited.
24. The Appeal Board's decision is final and binding on all parties.

Jonathan Darby, Chairperson

Christine Harrop-Griffiths

Peter Clayton

12 September 2022