

**IN THE MATTER OF A FOOTBALL ASSOCIATION
INDEPENDENT REGULATORY COMMISSION**

BETWEEN

THE FOOTBALL ASSOCIATION

and

OLIVER JONES

**WRITTEN REASONS AND DECISION OF THE INDEPENDENT REGULATORY COMMISSION
FOLLOWING A HEARING ON 27 AUGUST 2024**

- 1) These are the written reasons for a decision made by an Independent Regulatory Commission (the “Commission”) which sat via videoconference on 27 August 2024.
- 2) The Commission members were Ms Laura McCallum (acting as Chair and Independent Legal Panel Member), Mr Peter Fletcher (Independent Football Panel Member) and Mr Andrew Adie (Independent Football Panel Member).
- 3) Mr Michael O’Connor of the FA Judicial Services Department acted as Secretary to the Commission.
- 4) The following is a summary of the principal issues and matters considered by the Commission. It does not purport to contain reference to all the issues or matters considered, and the absence in these reasons of reference to any particular point or submission made by any party should not be read as implying that it was not taken into consideration. For the avoidance of doubt, all the evidence and materials provided to the Commission was taken into consideration during our deliberations.

The Charge

- 5) By letter dated 23 July 2024, Mr Oliver Jones (the “Player”) was charged with misconduct pursuant to Rule E1(b) of the FA’s Rules and Regulations (the “Rules”) in respect of 49 bets placed on football matches between 10 December 2023 and 17 April 2024.
- 6) 43 of those bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition whilst 6 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which the Players club and/or the Player were participating.
- 7) It was alleged that each bet is a separate breach of FA Rule E8.
- 8) FA Rule E8 generally prohibits Participants from betting either directly or indirectly on the result, progress, conduct or any other aspect of or occurrence in a football match or competition anywhere in the world. This rule, or rules framed in similar language, were in force and applied to the Player throughout the period which is the subject of this case.
- 9) By written reply, the Player admitted the charge and asked for a paper hearing.
- 10) Having admitted the Charge, the Commission was tasked with considering what sanction, if any, should be imposed.

Background to Investigation and Breaches of Rules

- 11) The Player was identified by a well-known betting operator as having potentially breached the Rules and his account activity was therefore shared with the FA. The FA, thereafter, contacted all UK licensed betting operators and asked them to share any accounts in the name of the Player. The Commission were advised that no other accounts were identified other than the one account that initiated the investigation.

- 12) The overall amount staked during the 2023/24 season was £84.08 with a return of £3.00 producing a net loss of £81.08.
- 13) On analysis of the betting accounts, there were six bets which included games in competitions that Mr Jones clubs participated in during the relevant season. This included one bet placed against Mr Jones own team to lose. This bet was part of an accumulator. The stake was £2.00 with no return. Mr Jones therefore made a net loss of £2.00.

The FA's Submissions

- 14) The FA did not provide any written submissions in relation to this matter.

The Player's Submissions

- a) The Player stated that he was unaware of the FA's betting rules.
- b) The Player asserted that he had never used the account to place any sport related bets.
- c) The Player's father alleged that the Player had opened a betting account at the father's insistence. We were advised that this was because the father was not supposed to be betting and/or had a previous account shut down by another betting firm and/or that there had been previous problems at home concerning betting and gambling. **The Commission noted from the evidential bundle that in fact the reason for the father's account that he stopped betting was actually unclear.*
- d) The Commission was advised that all bets placed in the Player's name were actually placed by the father.
- e) The Player's father advised that he reimbursed the Player for any monies spent by the father through the Player's account.
- f) The Player and his father both insisted that they were unaware of the Rules. The father advised had he known of the Rules, he would not have asked the Player to open the account.
- g) The Player submitted several bank account statements to highlight money transfers from the Player's father that were said to have corresponded with certain bets placed.

The Commission's Deliberations

- 15) The Commission carefully considered all documentary evidence submitted by both parties in determining this matter and any level of sanction that should be imposed.
- 16) As the Player's betting activity included a bet placed on his own team to lose, the appropriate sanction was a fine and a suspension ranging from 6 months to life. The precise sanction was to be determined by several factors set out within the Sanction Guidelines:

- a) Overall perception of impact of bet(s) on fixture/game integrity;
- b) Player played or did not play in matches in question;
- c) Number of bets placed;
- d) The size of the bets;
- e) Facts and circumstances surrounding the pattern of betting;
- f) Actual stake and amount possible to win;
- g) Personal circumstances;
- h) Previous disciplinary record;
- i) Experience of the participant;
- j) Assistance to the process and acceptance of the charge

17) The Sanction Guidelines also set out the following note:

“The guidelines are not intended to override the discretion of Regulatory Commissions to impose such sanctions as they consider appropriate having regard to the particular facts and circumstances of a case. However, in the interests of consistency it is anticipated that the guidelines will be applied unless the applicable case has some particular characteristic(s) which justifies a greater or lesser sanction outside the guidelines.

The assessment of the seriousness of the offence will need to take account of the factors set out above. A key aspect is whether the offence creates the perception that the result or any other element of the match may have been affected by the bet, for example because the Participant has bet against himself or his club or on the contrivance of a particular occurrence within the match. Such conduct will be a serious aggravating factor in all cases. A further serious aggravating factor will be where the Player played or was involved in the match on which the bet was made.”

18) The Commission agreed with a report from the FA Integrity Investigator that stated that there were several discrepancies in the accounts of both the Player and his father. For instance, the Player’s father initially stated that he had stopped betting when his wife found out that he was betting 15 years ago and that she was anti-betting. However, further in the interview, he stated that he had been banned from Bet365 and that was why he had stopped betting, but he refused to elaborate on why he was banned. Additionally, the Player advised that the father had the username and password to the account and used the account from his own phone, but the father in his interview said that he did not know the username and password and didn’t have the betting app on the phone. The father advised in his evidence that he would use the Player’s phone to place bets or ask the Player himself to place specific bets on his behalf. Furthermore, the Player’s father in his interview said that he would use the account to place “singles” on football matches but we understand there is not a single bet placed on the Player’s account. All bets appear to be accumulators.

19) Given the above, not all members of the Commission were convinced, on the balance of probabilities, that the bets were in actual fact being placed by the Player’s father.

20) The Commission considered it an aggravating factor that a bet had been placed against the Player’s own team to lose. We accept that the stake was small, but perception is key in these cases, and we believe it remains an aggravating factor regardless of the size of stake. There was no mitigation put forward by the Player other than he was pressured into opening the betting account by his father and he was not the individual placing any bets. As above, the Commission was not confident on the evidence before it that that version of events was in fact

correct on the balance of probabilities. The Commission did enquire about the Player's disciplinary record and noted there was no previous record of relevance.

21) Considering the documentary evidence provided by the Parties, as well as the aggravating factor above, but also the Player's clean disciplinary record, the Commission concluded that a reasonable and proportionate fine shall be in the sum of £250 (Two Hundred and Fifty Pounds Sterling) with a six month suspension from All Football and Football Related Activity. Five months of the suspension are suspended until the conclusion of the 2025/26 season. In the event of any such similar breach the suspended period of suspension will be activated with effect from the date of the final determination of the proceedings before the Regulatory Commission dealing with the new breaches, in addition to any penalty for the new breaches imposed by that Regulatory Commission.

22) This decision is subject to appeal.

Regulatory Commission

Ms Laura McCallum (Chair)

Mr Peter Fletcher

Mr Andrew Adie

3 September 2024