

IN THE FOOTBALL ASSOCIATION REGULATORY COMMISSION

**Elliott Kenton (Chair)
Bradley Pritchard
Andrew Adie**

BETWEEN –

THE FOOTBALL ASSOCIATION

and

ROBERT HUTCHINGS

WRITTEN REASONS

INTRODUCTION

1. The Regulatory Commission is dealing with charges made against Robert Hutchings of 5,547 betting offences contrary to FA Rule E8 committed during the seven seasons between 2017/2018 and 2023/2024 (the “**Charge**”).
2. The charge letter is dated 18 July 2024. Mr Hutchings has admitted the Charge and elected a paper hearing. Therefore, the Commission met via Microsoft Teams on 17 September 2024 to determine sanction.

THE CHARGES

3. The charge letter reads as follows:

You are hereby charged with Misconduct under FA Rule E1(b) in respect of 5,547 bets placed on football matches between 28 January 2018 to 14 February 2024.

It is alleged that each bet is a separate breach of FA Rule E8 (as applicable) and all references to specific bets are set out in exhibit ■/1.

The particulars of the allegation are as follows:

2017/18 Season (see schedule ■/2) – Bets placed in breach of FA Rule E8 FA

Handbook p120-122

1. You placed 6 bets on football matches, in breach of FA Rule E8(2), between 28 January 2018 and 21 April 2018 whilst you were a participant at Chichester City FC.

2018/19 Season (see schedule ■/3) – Bets placed in breach of FA Rule E8 FA Handbook p115-116

2. You placed 22 bets on football matches, in breach of FA Rule E8(2), between 15 January 2019 and 18 May 2019 whilst you were a participant at Chichester City FC.

2019/20 Season (see schedule ■/4) – Bets placed in breach of FA Rule E8 FA Handbook p116-117

3. You placed 486 bets on football matches, in breach of FA Rule E8(1)(a)(i), between 04 August 2019 and 29 July 2020 whilst you were a participant at Chichester City FC.

i. 457 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

ii. 29 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 your club and/or you were participating.

4. You placed 1 bet on any other matter concerning or related to football, in breach of FA Rule E8(1)(a)(ii), on 21 October 2019 whilst you were a participant at Chichester City FC.

iii. This bet was placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

2020/21 Season (see schedule ■/5) – Bets placed in breach of FA Rule E8 FA Handbook p120-121

5. You placed 1,673 bets on football matches, in breach of FA Rule E8.1, between 01

August 2020 and 13 July 2021 whilst you were a participant at Chichester City FC.

i. 1,602 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

ii. 71 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 your club and/or you were participating.

2021/22 Season (see schedule ■/6) – Bets placed in breach of FA Rule E8 FA Handbook p126-127

6. You placed 1,321 bets on football matches, in breach of FA Rule E8.1, between 07 August 2021 and 29 July 2022 whilst you were a participant at Chichester City FC.

iii. 1,286 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

iv. 35 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 your club and/or you were participating.

2022/23 Season (see schedule ■/7) – Bets placed in breach of FA Rule E8 FA Handbook p142-144

7. You placed 1,293 bets on football matches, in breach of FA Rule E8.1, between 02 August 2022 and 20 June 2023 whilst you were a participant at Chichester City FC.

v. 1,238 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

vi. 55 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 your club and/or you were participating.

2023/24 Season (see schedule ■/8) – Bets placed in breach of FA Rule E8 FA

8. You placed 745 bets on football matches, in breach of FA Rule E8.1, between 05 August 2023 and 14 February 2024 whilst you were a participant at Chichester City FC.

vii. 711 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

viii. 34 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 your club and/or you were participating.

THE FA's CASE

4. The FA's case is summarised in the witness statement of [REDACTED] dated 12 July 2024, and is further set out in its written Submissions on Sanction dated 3 September 2024.

5. [REDACTED] reports—

4. Chichester City FC player Rob Hutchings ("RH") was identified by the betting operator [REDACTED] as having potentially breached The FA's betting Rules and they shared RH's account activity with The FA.

5. After confirming the details of where RH had been playing, The FA contacted all UK-licensed betting operators and asked them to share any accounts in the name of RH that showed breaches of The FA's Betting Rules.

6. As a result of the above enquiry, there were six additional accounts supplied by [REDACTED]. These accounts were shared directly with The FA by the betting operators.

7. Therefore, The FA had been provided with a total of 7 betting accounts for RH, showing a total of 5,547 football related bets made by RH. I exhibit a schedule of all these bets as [REDACTED]/1.

[...]

17. During interview, RH accepted placing all football bets through the accounts in question.

18. RH stated he was not aware of The FA's betting Rules until being contacted in relation to this investigation.

35. On analysis of the betting accounts, in total there are 253 bets which include games in competitions that RH's clubs participated in during the relevant seasons. These are detailed in exhibit [REDACTED]/9. This includes one bet involving a Chichester City FC selection whilst RH was a Participant there.

6. The FA say as follows:

5. RH placed 5,547 bets on football matches across seven football seasons between 2017/18 and 2023/24, utilising accounts with seven betting operators.

6. The overall amount staked across seven seasons was £21,400.82 with returns of £15,001.47, representing a net loss of £6,399.35. The statement of the FA Investigator contains full details of the various bets placed.

7. Of the 5,547 bets, RH placed 253 bets which include games in competitions that his club participated in during the relevant seasons. These 253 bets involved 735 Cup selections, as detailed in exhibit [REDACTED]/9. The total amount staked on these matches was £932.33, with returns of £783.76, resulting in a net loss of £148.57.

7. In relation to sanction, the FA say:

10. In accordance with the guidelines, RH falls to be sanctioned with a fine due to bets placed on competitions his club participated in. The one bet involving his own club is not specifically catered for in the various columns in the guidelines and, whilst it may be considered as an aggravating factor, does not represent any integrity threat or relate to any in-match occurrence.

[...]

12. RH has placed a substantial number of bets in breach of FA Rules, staking a large amount of money.

13. RH has co-operated with The FA during the investigation and promptly admitted the Charge.

14. The Commission may only suspend all or a portion of the sanction imposed where there are clear and compelling reasons to do so.

15. The Commission must also be mindful that the sanction imposed requires to serve as a deterrent to RH and others in relation to breaches of this nature.

Mr HUTCHINGS' CASE

8. Mr Hutchings has fully engaged with these proceedings. He has attended interview, which as [REDACTED] notes, made full admissions of the Charge. Further, he has provided the following short statement by email on 29 July 2024:

I am writing to formally respond to the allegations with regard to the above; as outlined in your correspondence of 18th July.

I would like to apologise for my actions and acknowledge the importance of the FA's regulations. Having reviewed the allegations, I accept the charges brought against me. I understand that my involvement in betting activities, as specified, constitutes a clear violation of Rule E8.

Whilst respecting the rules and accepting responsibility for their contravention, I would like to state that at the time of the bets being placed I was totally unaware that my actions were breaking the rules. Further to being made aware of this, no subsequent bets have been placed by me.

I believe I have cooperated fully with your investigation and would welcome a swift conclusion to this matter [REDACTED]

Once again, I apologise for my actions and I assure you of my commitment to adhering

to all FA rules and regulations moving forward.

FA GUIDELINES

13. The FA has referred to the FA Sanction Guidelines. The Guidelines are set out in the following table.

	Bet placed on any aspect of any football match anywhere in the world, but not involving Participant's Club competitions.	Bet placed on Participant's competition but not involving his Club (including spot bet).	Bet placed on own team to win.	Bet placed on own team to lose.	Bet placed on particular occurrence(s) not involving the player who bet (spot bet).	Bet placed on particular occurrence(s) involving the player who bet (spot bet).
Financial Entry Point – Any fine to include, as a minimum, any financial gain made from the bet(s)	Warning / Fine	Fine	Fine	Fine	Fine	Fine
Sports sanction range	Suspension n/a	Suspension n/a where Participant has no connection with the Club bet on*	0-6 months to be determined by factors below	6 months - life to be determined by factors below	0 – 12 months	6 months - life
Factors to be considered in relation to any increase/decrease from entry point	Factors to be considered when determining appropriate sanctions will include the following: <ul style="list-style-type: none"> • Overall perception of impact of bet(s) on fixture/game integrity; • Player played or did not play; • Number of Bets; • Size of Bets; • Fact and circumstances surrounding pattern of betting; • Actual stake and amount possible to win; • Personal Circumstances; • Previous record – (any previous breach of betting Rules will be considered as a highly aggravating factor); • Experience of the participant; • Assistance to the process and acceptance of the charge. 					

It will be seen that in many instances the suggested range of prohibition is very wide. The appropriate sanction is therefore very much left to the discretion of the Commission and will be dependent on the facts of the individual case. This is expressly recognised by the Guidelines, which state the following.

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 Participant played or was involved in the match on which the bet was made.

DISCUSSION

14. As Mr Hutchings has accepted the Charge, the Commission considered sanction. The Commission considered that this is a serious case. Mr Hutchings has during the course of 7 seasons, placed in excess of five thousand bets, with seven separate gambling accounts, used over this sustained period of time. The number of bets and the size of the bets were considerable.
15. However, of those large number of bets, the Commission noted that he placed a relatively small proportion of those bets on games which included games in competitions that his club participated in during the relevant seasons and the value of those bets were less than £1,000, with Mr Hutchings receiving a net loss.
16. The Commission noted that there are a number of mitigating factors in this case. Firstly, Mr Hutchings has fully admitted the Charge, and engaged with the FA's investigation. He has no previous disciplinary record.
17. The Commission agrees with The FA's assessment that in accordance with the sanction guidelines, this is a case that warrants a financial penalty alone. However, the Commission considered that there were clear and compelling reasons to suspend part of that sanction, given that Mr Hutchings had not placed bets since the investigation, had been fully cooperative and accepted the Charge and had provided information that he had limited football income.

CONCLUSION

18. The Commission makes the following order –
 - (1) A financial penalty of £750 is imposed.
 - (a) £250 is imposed immediately;
 - (2) **£500 of the fine is suspended for 12 months (16 September 2025). 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.** There is no order as to the costs of these proceedings.

Elliott Kenton
Bradley Pritchard
Andrew Adie

17 September 2024