

Matter: Appeal – E3 Improper conduct

Ref: 12079034M

Panel date: 16 April 2025

Bradley Chapman (Appellant)

and

Hampshire FA (Respondent)

Judicial Panel Members:

Miss N Zulfiqar (Independent Chair)

Mr G Dorling (Former Council member)

Mr I Stephenson (Independent member)

Decision: We have decided to dismiss the appeal. Our reasons are below.

1. Summary of background

- 1.1. On 7 February 2025 the Respondent charged the Appellant with a breach of FA Rule E3 – Improper conduct against a match official (including abusive language / behaviour). The charge was denied on 11 February, and the Appellant requested that the case was dealt with on the papers.
- 1.2. The panel convened on 4 April 2025 and the charge was found proven. The Appellant was suspended for two matches and fined £20.

2. The appeal

- 2.1 The decision was appealed on 7 April 2025 on the grounds that the panel i(i) came to a decision to which no reasonable such body could have come to, (ii) imposed a penalty, award, order or sanction that was excessive and (iii) misinterpreted or failed to comply with the Rules and/or regulations of The Association.
- 2.2 Specifically, the reasons given for appealing are:
 - 2.2.1 Misinterpretation of the rules. The charge letter refers to rule E3(c). This rule does not exist in relation to improper conduct against a match official in the FA Handbook. It is not clear what charge E3(c) relates to. He questions what the actual charge is and how it can be proceeded with let alone proven.
 - 2.2.2 There was no investigation into the allegation. There was no investigation report only a limited match report prepared by the referee. The correct process was not followed, and the outcome is unsafe. The allegation has not been tested or independently corroborated. The allegation cannot be taken as fact simply because it is in a report submitted by the referee.

- 2.2.3 The panel came to a decision which no reasonable body would have come. This is because the referee did not refer to any abusive language or behaviour in his report. There is no factual, independent or unbiased evidence to support the referee's statement.
- 2.2.4 He never questioned the referee's decisions but accepts he did appeal potential handballs and 50/50 challenges. On reflection this may be misunderstood or misinterpreted as questioning the referee.
- 2.2.5 He expressed a personal opinion when he said to the referee that he was disappointed with his handling of the game. He expressed this in a polite, non-confrontational manner.
- 2.2.6 Imposed an excessive sanction. If the behaviour was so serious the referee could have issued a red card but did not do so. He entered the field of play due to a misunderstanding. The referee issued a yellow card. He did not say there was anything aggressive or abusive about this.
- 2.3 The incident was relatively minor and the Appellant requests that the sanction is overturned. It could be argued that the sanction is a greater punishment for the team.

Response from the Respondent – Hampshire FA

- 2.4 Its response to the appeal grounds is limited (page 13 of our bundle). We note that the representations submitted by the Appellant were included in the bundle of papers considered by the panel.

3. Reasons

- 3.1 We met as an appeal panel on 16 April 2025 and considered the matter on the papers. We decided to dismiss the appeal.
- 3.2 The reasons for our decision are:
 - i) We reminded ourselves that we were reviewing the decision of the disciplinary commission. This means that we should only interfere with it if it falls outside the bounds of reasonable decision making. We are not considering the matter afresh and we cannot substitute our own decision for that of the disciplinary commission just because we may disagree with it.
 - ii) **Misinterpretation of the FA rules.** In relation to the E3(c) charge. We agree that this is not the correct rule for improper conduct. However, we are required to consider whether the Appellant was aware of the allegation against him and the specific details of it. We find that he was, regardless of the reference to rule E3(c). It is evident that this is an incorrect reference. The Appellant did not refer to the incorrect reference in his initial representations, nor did he ask for clarification. He received the evidence bundle with the charge letter and was aware of the specific nature of the charge and what it was based on.
 - iii) The panel reasons do not deal with the incorrect reference. However, for the reasons we have given this does not undermine its decision or mean that it

misinterpreted the rule. It is a technicality which is insufficient to result in an unfair outcome.

- iv) **The panel came to a decision which no reasonable body would have come to.** It is not our role to replace the decision with our own decision. We have reviewed the reasons, which we accept are brief. However, the decision is not outside the bounds of reasonableness. The panel decided the matter on the papers. It was required to assess the credibility and plausibility of the evidence. In paragraphs 21 to 25 of the decision, the panel had regard to the referee's report and properly considered the representations of the Appellant.
- v) The evidence was assessed to the correct standard of proof and it found the charge proven. It considered the ongoing nature of the Appellant's comments and although it acknowledges some of the conduct may have been unintentional, it was persistent / repeated and the subject of a misconduct report. We do not see any reason to interfere with this conclusion which is reasonable.
- vi) Although it may have been helpful for Hampshire FA to obtain other evidence from witnesses, it does not necessarily have to do so. It made the decision to charge on the sole basis of the referee's misconduct report. The panel had to weight up the evidence of the referee against the Appellant. This is not unusual or unreasonable. The Appellant accepts in his appeal representations that his conduct may have been misinterpreted or misunderstood and he has learned from this.
- vii) **Excessive sanction.** We do not find the sanction was excessive. Again, the panel could have elaborated on its reasons. However, it identified the mitigating and aggravating factors and decided on a two-match ban and a fine of £20. This is reasonable given the aggravating factors. Credit was given for the Appellant's clean record. He was in a position of responsibility, and it was a youth game. We can find no reason to interfere with this sanction.

3.3 The appeal is dismissed.

3.4 There is no order as to costs and the appeal fee is forfeited.

3.5 Our decision is final and binding on all parties.

Miss N Zulfiqar (Chair)
17 April 2025