

AN APPEAL BOARD OF THE FOOTBALL ASSOCIATION

IN THE MATTER OF AN APPEAL

BETWEEN:

Nicholas Bettis (Appellant)

-and-

Berks & Bucks FA (Respondent)

DECISION OF THE FA APPEAL BOARD 21 May 2025

1. The Appeal Board comprised:

Roger Burden (Chair)
Gordon Mellis
Ian McKim

Conrad Gibbons, FA Senior Judicial Services Officer, was Secretary to the Appeal Board

The Appeal was heard online via Microsoft Teams, as a paper hearing.

2. These written reasons do not refer to all points made in the course of the Appeal, However, the fact that some points are not mentioned should not imply that they were not considered. The Appeal Board carefully read and considered all the submissions.

Background and First Instance Decision

3. Following a game between Prestwood Colts & Girls U17 and Beaconsfield Town Youth U17, the Appellant was charged under FA Rule E3 – Improper Conduct (not including violent conduct and/or threatening and/or abusive language/behaviour), due to alleged misconduct.
4. The charge was accepted via the Whole Game System, with a request that the matter be dealt with by way of correspondence.
5. The Commission was appointed from the West Regional Disciplinary Panel.
6. The sanction was a suspension of 2 matches from all football and football activity plus a fine of £30.

The Appeal

7. The Appellant appealed on the grounds that the Commission misinterpreted or failed to comply with the Rules and or Regulations of the Association relevant to its decision.

The Appellant's Written Submissions to the Appeal Board

8. The Appellant stated that the charge was unfair as it is a misinterpretation of the law as he was restraining a Beaconsfield player (over 6ft tall) from striking a Prestwood player (5ft 6 tall), by "bear hugging" him. The player's parent had then run across the pitch and attacked the Appellant.
9. He suggested that, for the charge to stand, it sets a precedent that no one should prevent others from being attacked.
10. The Appellant said that the parent who attacked him does not have an FA number so has not been charged so "gets away with attacking me", and that the FA should charge the parent, rather than fine the Beaconsfield Club.

The Respondent's Written Submissions to the Appeal Board

11. The Respondent noted the case was responded to as "Accept Correspondence" but did not offer any response to the ground of Appeal ie that the Commission had misinterpreted or failed to comply with the Rules and or Regulations of the Association relevant to its decision, but did state that it had charged the opposition club with misconduct, being the only option open to it.

The Papers of First Instance

12. The Appeal Board had sight of the papers of first instance.
13. The Referee had reported that a Prestwood player kicked a Beaconsfield player who retaliated with a punch. The Assistant Coach of Prestwood bear hugged the Beaconsfield player and then a parent from Beaconsfield rugby tackled the Assistant Coach.
14. There were numerous statements generally confirming this report.

Written Reasons by the First Instance Commission.

15. The Commission summarised the evidence and noted that a response had been received accepting the charge and found the case proven by admission.
16. The Commission considered that the decision by the Appellant to restrain an opposition youth player who was not known to him, rather than the player from his own side, became a catalyst for further misconduct, being involved with an angry exchange with the father of the opposition player.

17. The Commission concluded that these actions justified a suspension of 4 matches and a fine of £60. The Commission then applied mitigation by taking into account the acceptance of the charge and the clean offence history and the sanction was reduced to a suspension of 2 matches from all football and football activity, together with a fine of £30

The Appeal Board's Deliberations and Decision

18. The Appellant provided no sensible explanation as to why he had accepted the charge, declined a personal hearing, even for a verbal plea, but sought to argue that he should not be held liable.
19. The Appellant did not provide any evidence to support his suggestion that the charge was unfair as it was a misinterpretation of the law as he was restraining a Beaconsfield player. Neither the FA's Rules and Regulations nor the Laws of the Game allow such action. It is the responsibility of the Referee to deal with such incidents and does not give licence to others to enter the field of play unless requested to do so by the Referee.
20. The Respondent had followed the Rules and Regulations in charging the parent's club with failing to control its spectators as there is no recourse against spectators that are not registered participants.
21. The Commission's written reasons were detailed and compelling, showing that the Commission had complied with the FA's Rules and Regulations for hearings.
22. We could find no fault with the charge, the way that it had been considered nor the findings.
23. The Appellant had accepted the charge, the evidence had been properly considered, as had the aggravating and mitigating circumstances, and the sanction was within the sanction guidelines.
24. The Appeal is dismissed and the Appeal Fee is forfeited.
25. There is no order as to costs.
26. The Appeal Board's decision is final and binding on all parties.

Roger Burden (Chair)
Gordon Mellis
Ian McKim

22 May 2025