

IN THE MATTER OF A FOOTBALL ASSOCIATION
INDEPENDENT REGULATORY COMMISSION

BETWEEN:

THE FOOTBALL ASSOCIATION

and

BRISTOL CITY F.C.

WRITTEN REASONS AND DECISION OF THE INDEPENDENT
REGULATORY COMMISSION FOLLOWING THE HEARING ON 11
AUGUST 2025

1. These are the written reasons for a decision made by an Independent Regulatory Commission (“the Commission”) which sat by video conference on 11 August 2025.
2. The Commission members were Mr. Simon Parry, (Chairman, and Independent Legal Panel Member), Ms. Alison O'Dowd (Independent Football Panel Member) and Mr. Ken Brown (Independent Football Panel Member).
3. Mr. Michael O'Connor, FA Judicial Services Assistant Manager, acted as Secretary to the Commission.
4. The relevant incident took place in the EFL Championship fixture between Bristol City F.C. (“BCFC/the Club”) and Cardiff City F.C. on 6 October 2024.
5. By letter dated 20 February 2025 the FA charged BCFC with two breaches of F.A. Rule E21 in that that they failed to ensure that its spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending the Match and do not use words or otherwise behave in a way which is improper and/or offensive and/or indecent and/or insulting with an express or implied reference to ethnic origin and/or colour and/or race, contrary to FA Rule E21.1 and E21.4.
6. Charge One relates to chanting in the 27th minute of the fixture and Charge

Two to a repetition of this chanting in the 80th minute.

7. By written reply dated 14 March 2025 the Club admitted the Charges and requested a paper hearing at which to advance mitigation. The Club provided a careful and detailed submission from Tim Williamson, Partner at Clarke Willmott LLP on behalf of the Club, an equally careful and helpful witness statement from David Storr (Head of Safety & Security at Ashton Gate Stadium) with various exhibits, a statement from Edward Liddiard (Safety Officer at Ashton Gate Stadium), a statement from PC [REDACTED] (Dedicated Football Officer at Avon & Somerset Constabulary), and BCFC's Annual Report and Financial Statements.
8. Thereafter, the Commission had the benefit of written Submissions on Sanction from the FA dated 13 June 2025, together with Regulatory Commission decisions in the cases of FA v Leeds United FC (10 August 2023), FA v Norwich City FC (22 December 2023) and FA v West Ham United FC (14 May 2025).
9. In response, Mr Williamson made further written submissions in an email dated 18 June and provided the Regulatory Commission decision in the case of FA v Grimsby Town FC (11 December 2024).
10. We have read the written submissions, evidence and previous decisions supplied by both parties with care. We are extremely grateful to the parties for the assistance that their submissions have given
11. The following is a summary of the principal submissions provided to the Commission. It does not purport to contain reference to all the points made,

however the absence in these reasons of any particular point or submission should not imply that the Commission did not take such point or submission into account when the members determined the matter. For the avoidance of doubt, the Commission carefully considered all the evidence and materials provided to it.

FA RULE E21

12. FA Rule E21 states: *A Club must ensure that spectators and/ or its supporters (and anyone purporting to be its supporters or followers) attending any Match do not:*

E21.1 behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative;

E21.2 throw missiles or other potentially harmful or dangerous objects at or on to the pitch;

E21.3 encroach on to the pitch or commit any form of pitch incursion;

E21.4 conduct themselves in a manner prohibited by paragraph E21.1 in circumstances where the conduct is discriminatory in that it includes a reference, whether express or implied, to one or more of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.

E21.5 It shall be a defence to a charge in relation to Rules E21.1 to E21.3 (only) if a Club can show that all events, incidents or occurrences complained of were the result of circumstances over which it had no control, or for reasons of crowd safety, and that its responsible officers or agents had used all due diligence to ensure that its said responsible was discharged. However,

when considering whether this defence is made out a Regulatory Commission will have regard to all relevant factors including:

- *The extent to which the Club has discharged its duty;*
- *The severity of the issues involved;*
- *The extent to which similar issues have occurred previously in which case whether the Club took sufficient action in preventing further such incidences.*

FACTS

13. The facts of the case are very straightforward. It is accepted that around the 27th and 80th minutes of the fixture BCFC supporters engaged in chanting directed at the Cardiff City fans. The video evidence available to us confirms that the chant was the same on both occasions - "sold your soul to a ladyboy". This is in reference to the owner of Cardiff City, Mr Vincent Tan, who is of Malaysian heritage. It is an overtly racist chant. On the first occasion the chant was sung three times before breaking into another chant. On the second occasion the chant is sung twice before becoming inaudible. Having heard the chanting for ourselves, it is not particularly easy to discern, leading us to the conclusion that it can only have involved a small minority of the 20,000 home supporters. The matter was reported to the FA by Kick It Out on 8 October. Thereafter, the FA commenced an investigation and requested detailed observations from the Club setting out:

- a) details of the Club's preparations for the match and measures to prevent misconduct by spectators, specifically in relation to the reported crowd

incident;

- b) any measures taken by the Club once they became aware of the incident and the effect of these measures;
- c) any actions taken to identify the perpetrators;
- d) any actions taken against the perpetrators; and
- e) any measures the Club intends to take to reduce the risk of such incidents involving the reported crowd incident from reoccurring.

14. The Club Head of Safety & Security, Dave Storr, responded on 14 October.

In his initial observations he was somewhat sceptical about the report as he had conducted enquiries with all relevant persons in authority present at the game and no-one was aware of the chanting, nor were there any reports made to the Club's "report it" line. We can well understand why Mr Storr was somewhat sceptical in those circumstances.

FA SUBMISSIONS ON SANCTION

15. The submissions highlight each of the areas covered within the sanction guidelines section of The FA's Policy and Guidance on the Regulation of Discriminatory Conduct by Spectators. We will address each in turn in our conclusions. The FA reminds us that a dedicated Action Plan is the primary focus of sanction for a Club's first offence. In addition, the Commission has the discretion to impose a fine within the published range for Clubs competing at Championship level, which is between £5,000-£75,000.

16. The FA contends that there ought to be a financial penalty. They note that in the vast majority of cases a fine has been imposed.

CLUB SUBMISSIONS ON SANCTION

17. The Club submits that there ought to be no immediate financial penalty in this case. They argue that when all of the factors set out in the guidelines are considered, this is a case where an Action Plan alone would suffice. They argue, in the alternative, that if a financial penalty is appropriate then it should be suspended until the conclusion of the 2025/26 season. They submit that the cumulative effect of the guideline factors provide clear and compelling reasons to suspend any fine.

18. In the supplementary submissions, the Club distinguishes the cases relied on by the FA as being more serious than the present case. They further argue that the Grimsby case is a closer case on its facts to the present case and provides a helpful example of a Commission suspending the financial sanction.

CONCLUSION

19. An Action Plan is a mandatory part of sanction for an offence of this type, and we so order. The terms of the Action Plan are at Appendix One to the Written Reasons. The Action Plan in this particular case is necessarily concise to reflect the fact that BCFC appear to have a large number of measures already in place to prevent crowd behaviour of this sort.

20. The real question for the Commission is whether to exercise our discretion and impose a financial penalty, and if we do, whether any or all of that financial penalty ought properly to be suspended. In order to determine those questions, we must first turn to the six factors from the sanction guidelines, each in turn.
21. The first factor which we have regard to is the number of spectators involved. As noted earlier, from the audibility of the chanting we conclude that it came from a relatively small group of spectators. It is not, therefore, mass chanting on the scale of thousands, and whilst subjective and thereby difficult to precisely quantify, it was more likely in the hundreds.
22. The second factor is the nature of the behaviour. The chanting used by the spectators was plainly racist in nature. It would have been deeply offensive to Mr. Tan.
23. The third feature is the duration of the incident. We cannot ignore the fact that, whilst brief in nature, this happened on two separate occasions, one in each half.
24. The fourth factor is whether the Club and/or its officers took all reasonable steps in its preparation and planning for the fixture in which the relevant breach occurred; whether the Club and/or its officers took all reasonable steps in dealing effectively with the incident when it arose; and whether the Club and/or its officers took reasonable steps in identifying the supporters involved. In our judgment, the preparation and planning for this fixture was

entirely proper and professional. The Club had identified the potential for discriminatory abuse between rival fans. The failing in this case is in the steps taken in dealing with the incidents when they arose. The fact is that the chanting was audible to television microphones. Therefore, stewards in that area of the South Stand would, had they been concentrating fully on their duties, have heard it too. In our view, the stewards in that area failed to report what had occurred thus depriving Mr Storr of the opportunity to deal with the problem immediately. We have no doubt that if he had been made aware of the first incident, steps would have been taken to deal with the misbehaviour and potentially prevent the later chanting. Whilst we note that no-one was identified as a perpetrator, we are satisfied that this arises out of a simple misunderstanding between the Club and The FA as to whether Mr Storr had the relevant information from the complainant in this case so as to be able to carry out an effective investigation to identify the persons involved. This was a genuine misunderstanding, and no fault attaches either to the FA or Mr Storr.

25. The fifth factor is co-operation with the FA. This factor weighs heavily in the Club's favour - their co-operation with the FA has been exemplary.
26. The sixth factor is the Club's previous record which, to their credit, is unblemished. This, too, is a substantial mitigating factor. It follows that the Club has never been subject to an Action Plan before.
27. Considering all of the factors above, we are unanimous in concluding that this case does indeed fall at the lower end of the scale of culpability.

However, we are not persuaded by the submission that there ought to be no financial penalty. We are dealing with a case where there were two separate incidents of racist chanting, and neither was dealt with at the time adequately or at all. It follows that there must be some punitive element to our sanction to reflect that, supported by the fact the financial sanction “range” starts at £5,000 and not £0. We do agree with the Club's submission that the Leeds, Norwich and West Ham cases are more serious and of little assistance to the Commission. Whilst the Grimsby case is closer on the facts to the present case, again we are not persuaded that we should use that case as justification for suspending the fine that we impose in this case. It must be noted that in the Grimsby Written Reasons paragraphs 28-31 are redacted and we cannot assess what weight was attached to that material or its impact on the decision to suspend the fine. Furthermore, there is an important distinction in the Grimsby case in that the Commission found that Grimsby had taken steps to deal effectively with the incident when it arose. That is not the case here, as we have already noted, as neither incident was detected or dealt with at the time when it should have been.

28. In order to suspend any sanction a Commission has to be satisfied that there are clear and compelling reasons to do so. Whilst many of the factors outlined above go to the Club's credit, they serve, in our judgment, to mitigate the level of financial penalty. We have to be careful not to double-count that mitigation in order to then find clear and compelling reasons to suspend the fine.

29. In addition to the mitigation already referred to, the Commission is satisfied that this is an uncharacteristic breach by the Club. It is clear from all that we have read that the Club takes its responsibilities on preventing discriminatory misconduct seriously. It has an excellent reputation, as evidenced by the fact that the Women's Rugby World Cup has selected Ashton Gate to host quarter-final and semi-final matches. We wish to observe that we were extremely impressed by the evidence of Mr Storr. We have no doubt that he exercises his duties and responsibilities with a high degree of professionalism, diligence and skill.
30. The mitigation available to the Club enables us to reduce the fine to the lower end of the scale for Championship clubs. Taking account of all those matters above, the Commission is unanimous in assessing that a just and proportionate fine is one of £7,500, which will be immediate.

SANCTION

31. Bristol City FC shall be subject of an Action Plan, in the terms set out at Appendix One of the Written Reasons.
32. Bristol FC shall be fined the sum of £7,500.
33. The decision is subject to any appeal as provided by the Regulations.

Mr. Simon Parry (Chairman)

Ms. Alison O'Dowd

Mr. Ken Brown

20 August 2025

APPENDIX TO THE DECISION AND WRITTEN REASONS OF THE INDEPENDENT REGULATORY COMMISSION

THE FOOTBALL ASSOCIATION

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BRISTOL CITY FC

ACTION PLAN

1. The Club shall ensure its Specific Matchday Risk Assessment, Stadium Control Pre-Match Brief and Matchday Staff Briefing documentation all include due procedure in specific relation to the prevention and detection of any discriminatory or inappropriate behaviour.
2. The Club shall properly document and continually review match by match steward deployment plans relating to intelligence-based information surrounding incidents of previous or expected discriminatory or inappropriate behaviour within the stadium.
3. The Club shall maintain a detailed operational protocol in support of their safety management and stewarding teams to include stewarding reporting methods, prepared Public Address messages to assist in the prevention of abusive and discriminatory behaviour, and to include any match specific action plans for dealing with such behaviour.
4. The Club shall review the information contained in the “Ashton Gate Code of Conduct” and “Club Charter” on its website and either introduce a separate dedicated Club Supporter Charter or, as a minimum, have a prominent ‘Discrimination’ section within the existing Club Charter;
 - (i) such document should contain relevant and specific information on discriminatory or offensive chanting, words or behaviour, in an effort to educate supporters on what language and actions are acceptable/unacceptable at their stadium, and
 - (ii) list relevant match day offences and associated sanctions, in particular relating to discriminatory behaviour.
5. The Club shall continue to develop educational programmes and initiatives for supporters, and engage with supporter groups, for the purpose of increasing awareness of unacceptable behaviour, and deterring and minimising discriminatory and other inappropriate supporter behaviour, including the inappropriate use of words, chanting, gestures, behaviour and conduct

associated with ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation and disability.

6. The Club shall continuously review both home and away ticket sales policies to ensure that such policies do not increase the risk of discriminatory or inappropriate supporter behaviour, and also to provide usable data to support post-match investigations, and potential associated action in accordance with the Club Sanctions Tariff.
7. The Club shall continually evaluate its existing CCTV capabilities and operator training in relation to crowd monitoring and evidence gathering, including the use of body worn cameras.
8. The Club shall implement a *“Protocol for dealing with abuse aimed at players, managers and match officials”* document (to also include all backroom staff) and this should be appropriately referenced in pre-match safety & stewarding briefings to support and continually develop the training that is currently given to all stewards in respect of EDI and discriminatory behaviour.
9. Upon publication of
 - a. the Regulatory Commission’s Written Reasons, and
 - b. this Action Planthe Club shall communicate via the Club website, via social media and in the digital match day programme for its next home match, an appropriate message and response to its supporters. Such message and response should explain the background to this Charge, reiterate the Club’s condemnation of the action that underpinned the Charge, and emphasising the Club’s policies **making it clear in plain effective language that discriminatory abuse is illegal, offensive and will not be tolerated by the Club.**
10. This Action Plan shall be in place for the duration of the 2025/26 season.
11. The FA shall monitor the Club’s compliance with this Action Plan by way of an appropriate match day audit, whereupon the club shall exhibit all requisite material to The FA representative in attendance. Such audit to be carried out at least once in the Season that the Action Plan remains in place.