

Football Association Regulatory Commission
(the 'Commission')

NON-PERSONAL HEARING
(via Microsoft Teams)

THE DECISION AND REASONS OF THE COMMISSION

ND

CASE ID: BET/24/0023

23 June 2023

THE COMMISSION

- 1. Evans Amoah-Nyamekye (Chair)**
- 2. Martin Hill**
- 3. Alan Knight**

SUMMARY OF DECISION

ND was charged with Misconduct under FA Rule E1(b) in respect of 65 bets placed on football matches between 17 February 2007 to 13 August 2022.

It is alleged that each bet was a separate breach of FA Rule E8 (*as applicable*).

The Regulatory Commission found the case proved by way of admission.

After having considered the seriousness of the breaches, the disciplinary record, the mitigating and aggravating factors, the guidelines sanctions under the FA Rule E8 and the Disciplinary Sanctions Guidelines issued by the FA:

The Regulatory Commission decided to impose a fine of £1,000.00.

The Regulatory Commission further imposed a time-based suspension for 6 months commencing on 23/06/2025. The terms are as follows:- Immediately suspended from All Football and Football Related Activity for six (6) months. The entirety of the suspension is 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.

The reasons for the decision are stated in full below.

INTRODUCTION

1. On 7 February 2025, ND was charged with Misconduct in respect of 65 bets placed on football matches between 17 February 2007 and 13 August 2022.
2. In response on 15 February 2025, ND admitted to all breaches and requested a paper hearing for the purposes of sanction.
3. At the time of the investigation, ND was the Assistant Manager of TRFC. He is now the Manager at SFC.
4. Until 2014, Participants were prohibited from betting on a match or competition in which they were involved or could influence. In the 2014-15 season, the FA Misconduct Rules were amended to place a “blanket ban” on betting on any football matter for Participants in the top eight tiers of English Football. Of the bets, 62 bets were placed under the Rules pre-2014, with 3 bets after the 2014 amendments.
5. Enquiries identified 1 betting account in ND’s name. Due to the apparent breaches, ND was interviewed on 6 November 2024. ND accepted that the betting account was his and that he had placed all football bets through that account.
6. In terms of the betting rules, ND stated that he was not aware of The FA Betting Rules prior to August 2014. When the ‘new’ rules came into effect, ND reported that he stopped betting on football. ND stated his first knowledge of the Rules pre-2014 was as a result of this investigation.
7. As such, ND appeared to be ignorant of his breaches of the betting rules across 7 seasons. The single bet placed during the 2022-2023 appears to have been done in the knowledge of the Rules.
8. ND staked a total of £2,137.68, with returns of £814.43. There was a net loss of £1,323.25.

9. The cases were presented before a Disciplinary Commission appointed by The Football Association ("The FA") as a non- personal hearing via Microsoft Teams.

THE CHARGES

10. ND was charged with Misconduct under FA Rule E1(b) in respect of 65 bets placed on football matches between 17 February 2007 and 13 August 2022.

THE PLEAS

11. ND accepted placing all football bets through the account in question and pleaded guilty to the charge. ND understood the charges would be dealt with at a paper hearing on the contents of the documents served.

THE FA RULES

Until 2014, Participants were prohibited from betting on a match or competition in which they were involved or could influence. In the 2014-15 season, the FA Misconduct Rules were amended to place a “blanket ban” on betting on any football matter for Participants in the top eight tiers of English Football. Of the bets, 62 bets were placed under the Rules pre-2014, with 3 bets after the 2014 amendments.

Under The FA’s betting Rules a Participant at Step 4 or above is prohibited from betting on the result, progress, conduct or any other aspect of, or occurrence in, a football match or competition; or any other matter concerning or related to football anywhere in the world, including, for example and without limitation, the transfer of players, employment of managers, team selection or disciplinary matters.

Under Rule F2 of The FA’s Powers Of Inquiry Rules, The FA have the power to require of any Participant the provision of documents, information or any other material of any nature held by the Participant. It is for The FA to determine the nature and extent of any material requested.

In accordance with The FA Sanction Guidelines, if a Commission find this charge proven, they will be required to decide whether they feel the proven misconduct should be classified as a low, medium or high level of seriousness. When reaching any decision, the Commission will take into account any aggravating or mitigating factors. This case was deemed medium.

The FA has recommended sanction guidelines for the breaches.

THE COMMISSION

12. The following members were appointed to the Disciplinary Commission (“the Commission”, We/us”) to hear the case:

- 1. Evans Amoah-Nyamekye (Chair)**
- 2. Martin Hill**
- 3. Alan Knight**

Michael O'Connor was secretary to the Commission.

THE HEARING

13. The hearing of the charges (the “Hearing”) took place via Microsoft Teams on 23 June 2025.

14. The response from the Participant confirmed that he had been provided with all the statements and evidence with which we had been provided. Accordingly, ND had fair notice of the allegations made against him.

15. The following is a record of the salient points which we the Commission considered and is not intended to be and should not be taken as a full record of the evidence considered.

16. In advance of the Hearing we had received and read the bundle of documents.

THE FA'S CASE

Case Against ND

17. In respect of the 62 bets placed pre-2014, there are no Sanction Guidelines. As such, inclusion of the Betting Sanction Guidelines in force from August 2014.

18. The FA do not suggest that the Sanction Guidelines do, or should, strictly apply to the Misconduct before 2014.

Bet placed on own team to lose

19. ND placed 2 bets which included selections on his own team to lose. Bet 24 is to be considered of increased seriousness given that, unlike the accumulator, it was dependent only on one match over which ND could conceivably have had influence and thus has a greater impact on the overall perception of game integrity.

Bet placed on own team to win

20. ND placed 3 bets including selections on his own team to win. An aggravating feature will be where the Participant played or was involved in the match on which a bet was made.

Bet placed on ND's competition but not involving his Club (including spot bet)

21. ND placed 61 bets which included selections on matches within the League and Cup competitions that ND's clubs were entered into during the respective seasons.

22. ND staked a total of £2,097.38, with returns of £814.43 and thus a net loss of £1,283.25. The 61 selections included:

- a. 50 Championship
- b. 36 Premier League
- c. 24 EFL Cup
- d. 19 FA Cup

23. There is no suggestion that ND was match fixing, betting with the benefit of any particular inside information or that there was any suspicious activity or betting patterns around ND's betting.
24. ND placed 65 bets over 7 seasons with an average size of £32.89. The majority of bets were placed across the 2007-08 (32 bets) season.
25. The majority of the stakes were £25 (33). On two occasions, ND staked £100, with two bets of £195.00 and £381.00 respectively.
26. This suggests that the pattern of betting was modest stakes on a '*Saturday accumulator*' on a reasonably widespread of games. It does not appear to be indicative of a gambling addiction.

THE PARTICIPANT'S CASE

ND's response

27. The Commission concluded that ND accepted the charges.
28. ND's case is that: *"I've never had any betting problems, never had any urge, like I need to bet"*.
29. Where ND placed higher stakes, ND assumed this was due to placing a bet using winnings.
30. ND acknowledged that there were periods in his career when he would have been "on a lot of money", however it is plain that this did not result in consistently increased stakes.
31. ND remarked that he no longer bets at all, which is reflected in the betting data acquired.
32. Before 2014, ND commented that there was a lack of education within the game, and he did not know the rules. ND was unable to provide any real explanation as to why he had placed bets on his own teams, including those to lose, describing them as "innocent football bets".
33. ND reflected that in hindsight such bets were wrong, but noted that "At twenty-four years of age, I was a completely different sort of person" and he could not recall exactly what had motivated him to place them. Again, he considered that it may have been a result of frustration of not being included in the match day squad and more generally, that they were "football fan bets".
34. ND candidly accepted that the nature of such bets creates a negative perception.

35. Having analysed the trends within his betting, ND speculated that, “...*from 2008 on...I’ve obviously thought, ‘You’re just not allowed to bet on your own team but you can bet on anything else in football’*”.
36. Post 2014, ND was aware of the ‘blanket ban’ and commented that once he understood the rules, he had adhered to them to the best of his ability. He was not however aware that the FA Rules did apply during his time at his previous club, as a Step 4 Club.
37. ND commented that this was because he was not familiar with lower division rules and in effect assumed because it was part time, it would not be subject to the ‘blanket ban’.

THE COMMISSION'S CONCLUSIONS

38. The Commission found the charges of breaches of FA Rules proved.

38.1. ND accepted the allegations against him.

38.2. On the analysis of the evidence in this case, there is a level of wilful ignorance demonstrated by ND as to the betting rules. Despite his knowledge that there were restrictions on his ability to bet after the Rules change in 2014.

38.3. ND seems to have taken limited steps to understand whether such restrictions applied once his position in the pyramid change. This could readily have been achieved by a search of The FA's website or enquiries with the relevant club at the time.

38.4. ND fully cooperated with the investigation of The FA and accepted the charge at the first opportunity.

BURDEN OF PROOF

- 38.5. The applicable standard of proof required for this case is the civil standard of the balance of probability, meaning more likely than not.
- 38.6. The Commission took the view that the allegation and the evidence supporting that allegation needed to be tested.
- 38.7. The Commission considered the context in which the breaches occurred, the intent behind the breaches and gave consideration to all the circumstances surrounding the breaches.
- 38.8. The Commission concluded that ND was correctly identified by a betting company as having potentially breached the FA's betting Rules.

THE DECISION

39. Having read the evidence, the assessment of the evidence is entirely a matter for the Commission members.
40. We have to assess the reliability of the witness (*that is whether, even although a witness may be attempting to tell the truth their evidence might not be relied upon for differing reasons*) and the credibility of a witness (*that is whether a witness is attempting to tell the truth*). Of course, such an assessment is difficult to make if the evidence being considered is in written form.
41. Ultimately it is for the Commission to accept or reject each piece of evidence we are considering. Even where there are discrepancies between witnesses or within a witness's own evidence, it is for us to assess if the discrepancies are important and leads assistance to the determination of the balance of probabilities.
42. Having decided which evidence we accept and rejected; we then have to decide on the balance of probabilities if the alleged breach of the FA Rule is established.

MITIGATION

43. ND has the benefit of credit for his admission of the charge.
44. ND fully cooperated with The FA investigation.
45. It is accepted that ND did appear to amend his betting habits once he became aware of rules at various stages.
46. A reasonable period of time has now passed.
47. ND did not profit from his activity.

THE SANCTION

48. The Commission was then required to consider the appropriate sanction and penalty. In considering the appropriate sanction and penalty the Commission members discussed the severity of the offence.
49. After having considered the seriousness of betting within football, the disciplinary record, the mitigating and aggravating factors, the guidelines sanctions under FA Rule E8 and the Disciplinary Sanctions Guidelines issued by the FA, the Commission decided not to increase the sanction from the threshold. The Commission considered this as a medium-level in seriousness.
50. The Regulatory Commission decided to impose a fine of £1,000.00.
51. The Regulatory Commission further imposed a time-based suspension for 6 months commencing on 23/06/2025. The terms are as follows:- Immediately suspended from All Football and Football Related Activity for six (6) months. The entirety of the suspension is 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.

CONCLUSION

52. This decision is subject to the right of appeal under the relevant FA rules and Regulations.

Signed The Commission:

THE COMMISSION

- 1. Evans Amoah-Nyamekye (Chair)**
- 2. Martin Hill**
- 3. Alan Knight**

23 June 2023