

IN THE MATTER OF A REGULATORY COMMISSION OF THE FOOTBALL ASSOCIATION

THURSDAY 24 SEPTEMBER 2026

CHRISTOPHER STONER KC (Chair)

LAWRENCE SELBY KC

ALISON O'DOWD

BETWEEN:

THE FOOTBALL ASSOCIATION

And

TONDA ECKERT

WRITTEN REASONS

1. These are the Written Reasons for the decisions made by a Regulatory Commission which sat on Thursday 24 September to consider the Charges against Tonda Eckert ("**Mr Eckert**") referred to below, for 3 specified breaches of FA Rule E3.1.
2. The Regulatory Commission hearing was held in person at Wembley Stadium. The Commission comprised Mr Christopher Stoner KC (Chair), Independent Specialist Panel Member, Mr Lawrence Selby KC, Independent Legal Panel Member and Ms Alison O'Dowd, Independent Football Panel Member. Mr Conrad Gibbons, Judicial Services Assistant Manager acted as secretary to the Commission, and we record our thanks to him.

3. The FA was represented by Brendan Kelly KC with Amina Graham instructed by Andrew Phillips, Interim Head of Regulatory Advocates at The FA whilst Mr Eckert was represented by Paul Harris KC with Natalie Nguyen instructed by Centrefield LLP. We thank Mr Kelly and Mr Harris for their helpful and clear oral submissions and all advocates and those instructing them for their similarly helpful and clear written submissions, as well as for their preparation for the hearing.
4. In addition to the foregoing a number of personnel attended the hearing as observers, namely the Integrity Investigations Manager at The FA, Lindsay Gordon from the League Managers Association, Katrina Dick the General Counsel of Southampton F.C., Phil Parsons the CEO of Southampton Football Club and Jason Epstein from Clifford Chance.
5. By a Charge Letter ("**the Charge Letter**") dated 21st July 2026 Mr Eckert was charged by The FA in the following terms:

"You are hereby charged with misconduct in respect of three breaches of FA Rule E3.1 in relation to your conduct between December 2025 and May 2026. Details of the specific charges are as follows:

Oxford United FC Incident

1. *It is alleged that you acted in an improper manner and/or brought the game into disrepute contrary to FA Rule E3.1 in that you directed and/or authorised the observation of Oxford United FC training sessions in advance of the fixture between Southampton FC and Oxford United FC on 26 December 2025.*

Ipswich Town FC Incident

2. *It is alleged that you acted in an improper manner and/or brought the game into disrepute contrary to FA Rule E3.1 in that you directed and/or authorised the observation of an Ipswich Town FC training session in advance of the fixture between Southampton FC and Ipswich Town FC on 28 April 2026.*

Middlesbrough FC Incident

3. *It is alleged that you acted in an improper manner and/or brought the game into disrepute contrary to FA Rule E3.1 in that you directed and/or authorised the observation of Middlesbrough FC training sessions in advance of the*

Championship play off semi-final fixtures between Southampton FC and Middlesbrough FC in May 2026.

Collectively we shall refer to the above as “**the Charges**”.

6. The Charge Letter requested a Reply by 6pm on 28 July 2026, in accordance with the requirements of Regulation 5 of the Non-Fast Track Regulations, although an extension was granted by the Judicial Panel Chair for the Reply to be served by 6pm on 3 August 2026. Indeed, by a letter dated 28 July 2026, Centrefield LLP, on behalf of Mr Eckert, sought further particulars of the Charges before Mr Eckert responded.
7. The parties having engaged in discussions, they agreed that The FA would provide a Case Summary by 5 August 2026 and that Mr Eckert’s Reply would be served by 6pm on 10 August 2026. These dates were agreed by the Chair and were duly met by the parties.
8. By his Reply Form dated 10 August 2026 Mr Eckert admitted all 3 Charges and requested the opportunity to attend a Regulatory Commission at an in-person hearing. Directions were duly given, once the Regulatory Commission was fully constituted, including provision for a responsive submission on the part of The FA, which was to include its submissions on sanction, together with a final submission by Mr Eckert which was also to include submissions on sanction. Dates were sought for the hearing, which was held at the first date that suited the Panel and Counsel’s availability, namely Thursday 24th and Friday 25th September, although by the time the hearing approached the parties were confident, as proved to be the case, that only a single day for the hearing would be required.

The Evidence

9. The Commission were presented with two principal bundles comprising, in total, over 1000 pages. These were a 536-page core bundle and a 603-bundle of papers from the previous EFL proceedings between itself and Southampton Football Club. In addition, the parties presented an authorities bundle comprising 17 authorities, including many previous Regulatory Commission and Appeal Board matters. The Chair also referred the parties, in advance of the hearing, to the decision of *The FA v Lake* and the parties responded with provision of *The FA v Sharpe*.

10. In the Charge Letter, The FA indicated that it would rely on the following evidence:

- 10.1. The witness statement of an Integrity Investigations Manager dated 14 July 2026;
- 10.2. The hearing bundle before the Disciplinary Commission in The Football League Limited v Southampton FC.
- 10.3. A transcript of the Disciplinary Commission hearing dated 19 May 2026.
- 10.4. The Written reasons of the Disciplinary Commission dated 19 May 2026.
- 10.5. A redacted Appeal bundle in the matter of The Football League v Southampton F.C.
- 10.6. The Written Reasons of the League Arbitration Panel dated 1 June 2026.
- 10.7. The Transcript of an interview with Mr Eckert by The FA dated 2 July 2026.

11. In addition to these documents, The FA relied upon its Case Summary dated 5 August 2026 and its Response to Mr Eckert's Reply dated 1 September 2026.

12. The FA did not call any live evidence at the hearing.

13. On behalf of Mr Eckert, in addition to his Reply which was accompanied by a lengthy letter from Centrefield LLP dated 10 August 2026, we were presented together with the Reply with:

- 13.1 A witness statement from Mr Eckert dated 10 August 2026.
- 13.2. A letter from [REDACTED] dated 9 August 2026.
- 13.3. A letter from [REDACTED] dated 3 August 2026.
- 13.4. A letter from [REDACTED] dated 8 August 2026.
- 13.5. A letter from [REDACTED] dated 10 August 2026.
- 13.6. A letter from the Saints Foundation dated 4 August 2026.
- 13.7. An E-mail from Mr Eckert to the Saints Foundation dated 9 August 2026.
- 13.8. An email from [REDACTED] to staff dated 10 August 2026.
- 13.9. An email from Mr Eckert to coaching and analysis staff dated 10 August 2026.

14. In addition to the Respondent's Submissions on Sanction, those acting on behalf of Mr Eckert also provided a copy of his employment contract, the terms of which will remain confidential, the Southampton FC fixture schedule and an extract from the BBC Sport website dated 2 June 2026.

15. Mr Eckert gave evidence before us. Indeed, he was the only witness we heard from. As we describe below, in the Commission's view he was an exceptionally impressive witness.
16. Before leaving the issue of evidence, we should record there was some argument before us as to the evidence presented by The FA. There was no suggestion the evidence from the EFL Proceedings was not admissible and, in our view, it plainly is having regard to the terms of Regulation 9 of the General Provisions section of the Disciplinary Regulations. In accordance with Regulation 9.3 the weight we attach to that evidence is a matter for us as a Commission. In opening Mr Kelly said, on behalf of The FA, that the decisions of the EFL Disciplinary Commission and the League Arbitration Panel "*...are not binding, but they, we submit, [are] persuasive contextual material.*"
17. We have been mindful of what Mr Harris urged upon us in opening, which we summarise as being that the charges in the EFL proceedings were against Southampton F.C. as a club, not against Mr Eckert as an individual and in so far as there are differences between what Mr Eckert says and what is said by those from whom we will not be hearing, then the obligation is on The FA to put those allegations to Mr Eckert when he is cross-examined.
18. Finally, on the issue of evidence, faced with over 1000 pages of evidence and 187 pages of transcript it is inevitable that not every piece of evidence will be referred to in these Written Reasons, which are long enough as it is. However, the Commission has carefully considered all of the evidence presented to us as well as all the arguments advanced on both sides, on all points even if not specifically addressed in these Written Reasons.

Background

19. We must record that Mr Eckert is charged with a breach of Rule E3.1 of The FA Rules, which provides:

"A Participant shall at all times act in the best interests of the game and shall not act in any manner which is improper or brings the game into disrepute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour."

20. As to the facts underlying the Charges, there are three distinct elements. We shall adopt for the purposes of these Written Reasons the terminology used in the Charge Letter, namely ‘the Oxford United FC Incident’; ‘the Ipswich Town FC Incident’ and the Middlesbrough FC Incident.’
21. For the purposes of discussing the evidence we shall adopt various terms to refer to individuals who gave evidence to the EFL Disciplinary Commission, in writing and/or orally. Their names are identified in Schedule A to these Written Reasons which will remain confidential.
22. We shall take each incident in chronological order, although, as we refer to below, it was the Middlesbrough FC Incident which led to an investigation in which Southampton volunteered information to the EFL which disclosed the Oxford United FC Incident and the Ipswich Town FC Incident.

The Oxford United Incident

23. This incident arose in respect of a fixture which was played on 26 December 2025 between Oxford United FC and Southampton FC, a few days before which Oxford United FC sacked their manager, replacing him with an Interim Manager. We can refer to Mr Eckert’s statement to pick up the matter:

“On 23 December 2025, I saw on Sky Sports that Oxford United FC had sacked Gary Rowett as Head Coach, and Craig Short had been appointed as an interim replacement. I understood (from previous spells as interim Head Coach at Oxford United FC) that Craig preferred to play a back four, whereas Gary Rowett had preferred a back five.

We were playing Oxford United on 26 December 2025, and therefore at the match preparation meeting on 23 December 2025, I asked if we could send someone to go and watch Oxford United train, to see if they were playing in a back four or five...

In that meeting, [REDACTED] was tasked with organising someone to go to Oxford. I know that [REDACTED] asked [REDACTED] to attend and I didn’t give it any more thought.”

24. Mr Eckert proceeds to give evidence that in that meeting, [REDACTED] was asked to organise someone to go to Oxford. The evidence clearly shows that the person who was sent was the [REDACTED], who observed Oxford United FC's training on both 23rd and 24th December 2025.

25. [REDACTED], who did not give evidence before us, states in [REDACTED] written statement provided for the purposes of the EFL proceedings, upon which The FA relies:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

26. Although [REDACTED] was cross-examined before the EFL's Disciplinary Commission, [REDACTED] was not directly cross-examined about the Oxford United Incident. We note that the League Arbitration Panel determined, at paragraph 16, that it was [REDACTED] who identified the [REDACTED] to travel to Oxford.

27. In so far as there is a conflict of evidence as to whether it was Mr Eckert who said in the meeting that it should be the [REDACTED] who went to Oxford, as suggested by [REDACTED], or that Mr Eckert left the decision as to who was to go to [REDACTED], given we have only heard live evidence from Mr Eckert, but not had the opportunity to hear from [REDACTED], we prefer the evidence of Mr Eckert. This is not least because the contrary was not put to Mr Eckert in cross-examination, who was instead cross-examined about the position of another analyst, [REDACTED], who said in [REDACTED] statement before the EFL Disciplinary Commission that [REDACTED] made it very clear [REDACTED] did not wish to go to Oxford as [REDACTED] did not agree with it. Mr Eckert said that he was not aware of [REDACTED] mentioning that in his presence and, in essence, that he would not have asked [REDACTED] to travel as [REDACTED] was vital to the matchday meeting held at the training ground.

The Ipswich Town Incident

28. This incident is of a slightly different nature to the other two incidents, in so far as Mr Eckert, as it is put in Centrefield LLP's letter dated 10 August 2026, that Mr Eckert did not specifically request observations of Ipswich Town F.C.'s training, but rather admits that he agreed to receive CCTV of such training.

29. Southampton F.C. were due to play Ipswich Town F.C. on the evening of 28 April 2026. Ipswich Town F.C. held a training session at Eastleigh Town Football Club. Again, there is a difference in the evidence. Mr Eckert's evidence before us, in his witness statement, was in the following terms:

"We played Ipswich Town FC at home on 28 April 2026. On 27 April 2026, whilst I was walking through the corridor at Staplewood from the dining room to my office, I encountered [REDACTED] who told me that Ipswich would be training locally at Eastleigh Town FC on the day of the game. [REDACTED] asked me if I wanted to see CCTV footage of that session. I agreed to receive it which I now recognise was wrong. I did not, however, make arrangements to seek or obtain such footage."

30. In his 1st statement to the EFL Disciplinary Commission, Mr Eckert said the following:

"I became aware from members of my coaching team that Ipswich were going to be training at the grounds of Eastleigh Town Football Club before our match at St Mary's stadium on 28 April 2026 ... On the day of the fixture, 28 April 2026, it is my understanding that somebody ... sent CCTV footage ... The CCTV footage was footage of Ipswich training. In a pre-match meeting roughly 2 hours before kick-off, I came into a meeting room, and members of my analyst team mentioned the CCTV footage to me. I was then shown the beginning of the footage for the first time. I was not aware of its existence before this. After a short while, I asked for the footage to be stopped, as I wanted to focus on the meeting that had already been prepared the day before."

31. The Commission notes this is in contrast to Mr Eckert's response to the Middlesbrough FC Incident and the Oxford United FC Incident in the same statement, where Mr Eckert admits he was the one who requested observation of training.

32. In a second statement to the EFL Disciplinary Commission, Mr Eckert said:

"I am informed that none of the allegations from the EFL concerning this match refer to me personally ...

I had no part in instructing the [REDACTED] to attend the training session. On Monday 27th April, whilst I was walking along the corridor, I was asked by [REDACTED] if I wanted the footage from the Eastleigh training session. I said "yes" as I thought if it

was easily available it could be sent. I know now I should have said no, but I do not think deeply about it. The footage was not something I was particularly interested in ...

33. When Mr Eckert was cross-examined before the EFL Disciplinary Commission he was consistent in stating that he had not requested observation. For example, the following exchanges took place:

“Mr Kelly: And you had told ... Your analysts that somebody had to go and observe that training session hadn’t you?”

Mr Eckert: I have not told the analysts to go and observe the training session, and I think I have said this in my statement, that ... came across from the corridor and asked ... if we would want the footage from the training session.”

...

Mr Kelly: So whose decision was it to observe at Ipswich Town?

Mr Eckert: I have authorised the footage to be sent over to us ...

Mr Kelly: I am going to say one more and hopefully you’ll answer the question. Whose decision was it to observe, to send an individual from Southampton to Eastleigh in order to observe Ipswich Town?

Mr Eckert: I don’t know. The only answer I have is to the footage being sent to us.”

34. [REDACTED] gave a statement to the EFL Disciplinary Commission, although, seemingly because of the pressure of time (which the Commission considers inevitable given the extreme time pressures surrounding that hearing), [REDACTED] was not cross-examined. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

35. [REDACTED], in his statement to the EFL Disciplinary Commission said:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

36. Unsurprisingly, given there be no need for the EFL to do so, [REDACTED] was not cross-examined on this point before the EFL Disciplinary Commission.

37. The [REDACTED] also gave evidence on the Ipswich Town incident, in which [REDACTED] said:

[REDACTED]
[REDACTED]
[REDACTED]

38. A statement was also presented by [REDACTED], who said:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

39. [REDACTED], was not cross-examined before the EFL Disciplinary Commission. Again, the Commission understands why the EFL would not have wished to cross-examine in such circumstances.

40. The determination of the League Arbitration Panel on the Ipswich Town FC Incident was as follows:

“Mr Eckert’s evidence before the Commission was that he had understood that someone from Eastleigh had sent CCTV footage of the Ipswich training session to someone at Southampton, the existence of which he (Mr Eckert) knew only a couple of hours before kick-off. After a short while, he asked for it to be switched off, so he could concentrate on the pre-match meeting. He said the footage showed nothing of influence, and he made no alterations to the match preparations which were in any event complete by that time.

However, it was ██████ evidence that the ██████ told him that Mr Eckert had said at an earlier match preparation meeting that “someone should go to Eastleigh to look at Ipswich”; and the ██████ said ██████ was approached by ██████ to go to Eastleigh to watch Ipswich “as the boss is adamant that someone needs to go”. The ██████ felt uncomfortable doing this and said, “No”, and no further pressure was applied for ██████ to go. ██████ also felt uncomfortable: ██████ said in ██████ evidence that ██████ grouped ██████ with the younger members of the analysis team who were being pressurised into carrying out observations, and ██████ felt pressurised ██████. Furthermore, at the time of the Ipswich match, ██████ was attending a UEFA Coaching Course. So, ██████ did not go to observe the Ipswich training session either. But ██████ called ██████ when ██████ was at that course, saying the coaches were insistent that someone should go to Eastleigh, and ██████ called an ██████ who had worked with Eastleigh before, and ██████ said ██████ would go. ██████ asked that ██████ be provided with Eastleigh kit and a legend, i.e. what ██████ supposed “role” was at Eastleigh.

The ██████ duly went to Eastleigh and observed the training sessions. Someone at Eastleigh video recorded the whole session on the morning of the match, this was sent to Southampton. From that footage, the Club was able to predict the exact Ipswich team for the fixture.”

41. When he was cross examined before us on the Ipswich Town FC Incident, Mr Eckert gave a long explanation of what had happened after the FA Cup Semi-Final finished late on the prior Saturday and concluded by saying:

“██████ then came across to me on the corridor at one point and asked me if I want to retrieve the footage of Ipswich Town training on Tuesday morning. And that has been a conversation that has lasted five to ten seconds and wrongfully – and I do regret that – I have said “yes”. That is my involvement in the Ipswich Town incident.”

42. The statement of [REDACTED] given to the EFL Disciplinary Commission was put to Mr Eckert, including the passage relating to the Ipswich Town FC Incident referred to above. The following exchange then took place:

“Mr Kelly: Again, you are unaware, presumably, that the request had been made, because you say you had nothing to do with it, and also that either [REDACTED] or [REDACTED] had refused yes?”

Mr Eckert: I was unaware, yes. Also I don’t recall any conversations that I’ve had with [REDACTED] about the attendance of someone at the training session.

...

Mr Kelly: Did you ever become aware that people had refused to go to Eastleigh?

Mr Eckert: No; and until the EFL hearing and the documents, I was not ever aware that there was someone present at the training session.”

43. As we have said, for our purposes we are asked by The FA to have regard to the evidence which was presented below and we have done so. However, the Commission also has regard to the fact we have heard live evidence from Mr Eckert, who was cross-examined before us.

44. In such circumstances, notwithstanding the differences in views, we accept the evidence of Mr Eckert that his ‘involvement’ in the Ipswich Town F.C. Incident was to authorise provision of the footage and not to request it. In so far as the contrary is suggested in the evidence before the EFL Commission, we note that [REDACTED] was not present at the meeting in which [REDACTED] understands Mr Eckert asked for someone to attend Ipswich Town F.C.’s training session, whilst [REDACTED] could not recall ‘who exactly made the final decision’. The other witnesses also gave evidence of what they had been told, not directly by Mr Eckert, but by others.

45. The Commission is also satisfied, having seen Mr Eckert give evidence and be cross-examined before us (to which we refer in more detail below), that there is no reason to question his evidence on the Ipswich Town F.C. Incident. It would make no sense to accept, as he does, that he initiated spying on training sessions of Oxford United F.C.

and Middlesbrough F.C. yet to deny that in respect of Ipswich Town F.C. had it in fact been the case.

The Middlesbrough F.C. Incident

46. Whilst the EFL Disciplinary Commission imposed, after mitigation, 4-point deduction on Southampton F.C. in respect of the above two incidents, this incident led to Southampton F.C. being expelled from the Championship play-offs, thereby depriving Southampton F.C. as a club with the opportunity of promotion to the Premier League.

47. The genesis of the incident may be taken from Mr Eckert's statement to us. He said:

"The match preparation meeting ahead of this fixture on Monday 4 May 2026 with my coaching and analysis teams lasted around 8 hours and took place at a local hotel. ... During the meeting, as usual, we discussed the game plan in great detail including how we were going to defend, hold the ball or attack in all phases of play and every area of the pitch.

At one point during the lengthy meeting, I asked whether it would be possible to find out whether Hayden Hackney, who was rumoured to have resumed training with Middlesbrough FC [sic] after several weeks out with a calf injury, was actually training again. One of the assistants informed me that Middlesbrough FC's [sic] training ground is located on a golf course which is accessible to the public. I said that we should send someone there to see if Hayden Hackney was training. Nobody expressed any reservations or objections to this proposal. The exchange took a matter of minutes and then we continued with the meeting.

To confirm I did not ask for any videos to be taken of Middlesbrough FC's [sic] training sessions and I did not identify any particular individual to travel to Middlesbrough [sic] to identify if Hayden Hackney was training. I do, however, accept that I was wrong to ask for any kind of observations."

48. There are other details of what happened in respect of the Middlesbrough incident that we shall return to when considering the issue of pressure being applied to more junior members of staff.

49. In written evidence presented to the EFL Disciplinary Commission, the [REDACTED] does not confine what [REDACTED] was asked to do to be limited to observation to see if Hayden Hackney was training. However, we note that [REDACTED] said:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

50. Similar evidence is given by [REDACTED], save that [REDACTED] makes no reference to a conversation with [REDACTED], who [REDACTED] does not refer to the Middlesbrough F.C. Incident at all in either of [REDACTED] statements, instead concentrating on the other two Incidents. For our purposes it is important to note that neither the [REDACTED] nor [REDACTED] suggest any direct contact with Mr Eckert over the proposed Middlesbrough trip. When asked in cross examination before the EFL Commission whose decision it was to observe the other teams, [REDACTED] responded:

[REDACTED]
[REDACTED]
[REDACTED]

51. We are satisfied that the evidence given to us by Mr Eckert is correct, namely that he asked that someone attend Middlesbrough F.C.'s training for the purpose of seeing whether or not the player Hayden Hackney was training. This is consistent with his statement given to the EFL Disciplinary Commission which says:

"Thursday 7 May was a day-off for the coaching staff and the players had recovery at the training ground. In the afternoon I saw that [REDACTED] had sent me a long message on WhatsApp. [REDACTED] had said that [REDACTED] was at MFC and had been spotted at the training ground by MFC staff, and that instead of just checking if Hackney was in training, [REDACTED] had also captured videos of MFC training. [REDACTED] provided a breakdown of what [REDACTED] interpreted from the videos, including the predicted line up, and asked me if I wanted to see the videos. I said yes, please send them over. I had already finished preparing for the match, but I watched the videos."

Subsequent Events

52. On the same day that the [REDACTED] was seen by Middlesbrough F.C. observing the first team training, namely on 7 May 2026, Middlesbrough F.C. complained in writing to the EFL. Having sought observations from Southampton F.C., which were received on 8 May 2026, on that same day Southampton F.C. were charged by the EFL with a Notification of Charge in respect of 2 charges, namely:

52.1. That it was alleged Southampton F.C. was in breach of EFL Regulation 3.4. for failing to act towards another club, namely Middlesbrough F.C., with the utmost good faith; and

52.2. That it was alleged Southampton F.C. was in breach of EFL Regulation 127 for directly or indirectly observing (or attempting to observe) Middlesbrough F.C.'s training session in the period of 72 hours prior to a match scheduled to be played between the two clubs.

53. Following disclosure made by the Southampton F.C. further charges, in similar form (such that we do not propose to set them out in these Written Reasons), were made in respect of the Oxford United F.C. Incident and the Ipswich Town F.C. Incident. The EFL Disciplinary Commission granted permission for consolidation of the charges on 18 May 2026, and the Disciplinary Commission heard all the charges at a hearing on 19 May 2026 which commenced at 8am and concluded at 1pm.

54. The Disciplinary Commission found the charges proven. They stated:

"We have concluded that there was, on the part of the Respondent, a contrived and determined plan from the top down to gain a competitive advantage in competitions of real significance by deliberate attendance at opposition training grounds for the purpose of obtaining tactical and selection information. It involved far more than innocent activity and a particularly deplorable approach in its use of junior members of staff to conduct the clandestine observations at the direction of senior personnel."

55. The Disciplinary Commission said it was not persuaded by the submission made on behalf of Southampton F.C. that it was an exceptional case in which there is evidence that no use was made of the material and therefore there was no sporting advantage. The Disciplinary Commission imposed a six-point deduction, which was mitigated to 4 points, in respect of the charges referable to the Oxford United F.C. Incident and the Ipswich Town F.C. incident. They noted that a much more serious sanction was appropriate for the Middlesbrough F.C. Incident, given the integrity of the play-off competition was seriously violated, and they expelled Southampton F.C. from that competition. Further, in relation to all charges, a reprimand was issued to Southampton F.C.
56. Southampton F.C. appealed on the grounds the sanction was 'excessive, erroneous and grossly disproportionate' and that the Commission proceedings were procedurally unfair. Given the pressure of time, given the then forthcoming play off final, the League Arbitration Panel, comprising The Rt Hon Sir Gary Hickinbottom, heard the appeal on 20 May, issuing an Operative Decision that same day, before written reasons were produced dated 1 June 2026. The Appeal was unsuccessful.
57. Mr Eckert was subsequently called for interview by The FA, which took place on 2 July 2026. The Charge Letter was then issued against Mr Eckert on 21 July 2026.

Our Role

58. Given the admission of all the Charges by Mr Eckert, on one view our role is simply confined to determining the appropriate sanction, having had regard to a starting point and then considering any aggravating or mitigating features before applying the credit for admission of the Charges, as well as considering, as we are invited to do, whether there is a clear and compelling reason to suspend any sanction, or any part of a sanction.
59. However, The FA also makes the following submission in paragraph 3 of its Response to Mr Eckert's Reply:

“The principal issue for the Regulatory Commission is therefore the appropriate sanction to be imposed. The FA addresses [Mr Eckert’s] factual submissions insofar as they bear on the seriousness of the admitted conduct and the assessment of sanction.”

60. In closing, before turning to the issue of sanction, Mr Kelly argued on behalf of The FA that there were two principal factual matters for us to consider. The first was that of knowledge. He very clearly stated that The FA’s position was that ignorance of the law or ‘*not being knowing that what I am doing is wrong*’ amounts to no mitigation, but says that what could affect sentencing is, for example, a deliberate connivance. Mr Kelly said that awareness of the rules and subsequent actions could aggravate, but it is not accepted that it would mitigate.

61. Mr Kelly said:

“... having said that we do not set out to prove that he was aware of Regulation 127. We argue that there is a clear inference to be drawn from the evidence that you have heard and seen that he knew what was happening was wrong.

...

We argue that the combined effect of that evidence and the answers given, despite denial, the answers given and the proper inference to be drawn is that in fact there’s a strong inference that this particular respondent either knew what he was doing was wrong or, at the very best, turned a blind eye. But, either way, we return to the heading. It might not matter because our standpoint is that ignorance of the rules and whether or not something is right or wrong when it’s plain as to be seen that your regulations tell you it is wrong, and those around you know it is wrong, might not amount to particularly powerful mitigation.”

62. The second point on which Mr Kelly turned on the facts, was the issue of pressure. He said:

“The second issue to which we turn on the facts is that of pressure. Can we make it clear that, as far as the evidence is concerned, there is no direct evidence before you

*of [Mr Eckert] physically, orally or implicitly, on occasion, actually applying the pressure. What we say is that he was the sole creator of the climate. It was his decision to spy.
...*

The response will be: well, there's no evidence that he did this or he did that. The inference to be drawn, from the unchallenged evidence called on the same topic, either at this hearing or the last, is that that was at his door. The pressure, the lack of option, the determination that this would be done come what may, was his doing."

63. In The FA's Response to Mr Eckert's reply a point was also taken about the 'systematic or organised course of conduct' as well as a point about the 'nature and degree of Mr Eckert's involvement'. This latter section culminated in The FA stating that it was its case that the observations and/or authorisations were undertaken pursuant to his requests, so as to obtain the information he required for match preparation. As to the suggestion that the observations and/or authorisations were undertaken pursuant to Mr Eckert's requests, as we have covered above in outlining the incidents, and as reflected in Mr Eckert's admissions, we are satisfied he requested observations leading to the Oxford United F.C. Incident and the Middleborough F.C. Incident and that he authorised receipt of the CCTV in the Ipswich Town F.C. Incident.

64. However, it is necessary for us to consider the points on 'knowledge'; 'pressure' and, rather more briefly, whether there was a systemic or organised course of conduct.

Knowledge

65. We remind ourselves that Mr Eckert is charged with a breach of Rule E3.1 of The FA's Rules. More specifically, Mr Eckert is charged with failing to act in the best interests of the game and/or acting in a manner which is improper and/or brings the game into disrepute. In this regard, in the Commission's view, the issue of knowledge is not an issue of mitigation but is referable to the degree of culpability on the part of Mr Eckert, which may be a better expression than saying it goes to the seriousness of the offence, given the offence in the Commission's view is one which on any view is serious. In any event, this is not a strict liability offence.

66. For the reasons we explain below we are entirely satisfied that Mr Eckert, at the time of the three incidents, was not aware that they were in breach of the EFL Rules or 'morally wrong', which is a term that came to be used in the hearing as perhaps encompassing those elements of Rule E3.1 referred to above.

67. An essential part of this conclusion rests on Mr Eckert's previous experiences in Italy and Germany. In his statement before us Mr Eckert said:

"Most of my coaching and analytical experience prior to becoming Southampton First Team Head Coach took place in Germany and Italy. The football culture relating to observation of opposition teams that I experience in those countries differed significantly from the football culture that exists in England.

During my time in Germany and Italy, the observation of training sessions of opposing teams from publicly accessible locations was commonplace and generally accepted within the game. Training grounds were often openly accessible, located within public areas, or visible from surrounding streets, pathways, housing areas or public land. In fact, going to the effort of making such observations can be perceived as showing a diligent manager preparing thoroughly for a game.

In Germany, I was aware of clubs observing opposition training sessions. At RB Leipzig, for example, it was common practice for my friends who lived in Western Germany to observe Bayer Leverkusen, FC Koln, Borussia Dortmund or Schalke 04 ahead of RB Leipzig's fixtures against them and report back, and I was also personally involved in observations during my time at RB Leipzig. I was also aware of my clubs' own training sessions being observed by opponents, the media and members of the public. Such observation was considered an ordinary part of football culture rather than an ethical issue.

Similarly, while working in Italy, I regularly encountered situations where team selections or tactical plans became publicly known through observation of training sessions. My experience was that clubs accepted this practice as part of the football environment in which they operated. For example, at Genoa, our training ground was relatively public and was close to apartment blocks. I recall regularly seeing people on the balconies observing our training sessions, sometimes with video cameras. Members of the media also regularly observed details from our training sessions, to

the extent that our starting line-up was always accurately published in the media before each game.

In my experience, if a 'scout' or member of the media was discovered observing an opponent's training session, that person would be 'moved on' or asked to leave by club staff. As such, it was common practice to conduct the observations discreetly, in order to avoid attracting attention.

There were no rules in Germany or Italy prohibiting such conduct. Consequently, the observation of training sessions from public land did not carry the same cultural significance or ethical concerns, or regulatory issues, as I now know that it does in England. My incorrect understanding at the time of the Incidents was that the position in England was the same as it was in the other countries I had worked in, i.e. that as long as a person did not trespass onto private property, observation of a training session from public land was neither ethically wrong nor in breach of any regulations."

68. He also said:

*"As confirmed in my interview with The FA's Integrity team, at the time of the Incidents, I was completely unaware of the EFL Regulation which prohibits the observation of opponent's training sessions or that doing so would amount to a breach of the EFL Regulation to act in good faith. I was also unaware of the general attitude within English football about the morality of the practice, which differs completely from my experience in Europe. If I had been aware of either, I would never have authorised the observations. Whilst I had previously worked in England when I was at Barnsley FC, the issue of training observation never arose and I was not in a position to authorise such observation anyway. Given the COVID restrictions in place, and [REDACTED]
[REDACTED], I did not find it unusual not to have encountered observations of other teams."*

And:

"I acknowledge and understand that ignorance of the rules is not a defence. I also fully accept and recognise that, as Head Coach, I bear responsibility for understanding, and ought reasonably to know, the regulatory framework within which I am operating, as well as the wider ethical boundaries within the football culture. The fact that I did not

know the rules (or how this conduct was viewed in England) does not excuse my conduct, but I think that it does provide some important context as to how I came to make the decisions that I now recognise were wrong and against EFL Regulations."

69. In terms of other evidence, the Commission notes that the evidence of [REDACTED] given in the form of a letter, which was not challenged, was to the effect that training observations are commonplace in Germany and Italy. [REDACTED] stated that in Germany in particular it was simply part of the football culture. Furthermore, [REDACTED] also provided a letter to us stating that training observation is not forbidden by any specific law in Italy.

70. There is also the statement of [REDACTED], [REDACTED] [REDACTED]. His written statement to the EFL Disciplinary Commission was clear in stating that the practice of observing training was very common in Germany and Italy, particularly on public land near training grounds. He said: [REDACTED]

71. The FA had no evidence to adduce to state that Mr Eckert's evidence, or indeed that of [REDACTED], [REDACTED] or [REDACTED], was wrong, although we note that Mr Kelly, in opening, stated that The FA did not accept that this was a proper comparison because the 3 incidents with which we are concerned are not incidents of casual public viewing, but were three deliberate and intentionally covert observations in the immediate pre-match period to obtain tactical, selection and availability information.

72. A point was also raised by the Commission with Mr Eckert during the hearing as to that part of his statement, recited above, where Mr Eckert says his experience was that if a 'scout' was discovered observing an opponent's training they would be moved on. This, it was put to Mr Eckert, suggests some recognition that it was, to some degree, wrong to observe even in Italy and Germany. However, Mr Eckert denied this repeating it was commonplace in his experience, with there being a big difference between the morals and ethics behind why rules are being put in place, and someone simply not appreciating their being watched.

73. We address how impressed we were with Mr Eckert as a witness below. However, on the issue of knowledge, we reject the suggestion that on the evidence available to us it is permissible to draw an inference that he knew what he was doing was wrong or at least turned a blind eye to it.

74. It is relevant to record that whilst we would have expected Mr Eckert's colleagues to have told him that sending someone to spy on an opponent's training session was wrong, we find there is no evidence this occurred. We note that [REDACTED], in [REDACTED] statement to the EFL Disciplinary Commission, says [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

75. As to other witnesses, when [REDACTED] was cross examined before the EFL Disciplinary Commission, the following exchange took place with [REDACTED]:

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

76. Also, when asked about Mr Eckert, [REDACTED] said the following:

[REDACTED] [REDACTED]
[REDACTED]
[REDACTED]

77. Further, when the [REDACTED] was cross-examined in those same proceedings, the following exchange took place:

[REDACTED] [REDACTED]
[REDACTED]

78. We accept, however, that in the evidence of [REDACTED], [REDACTED] written evidence says that when Mr Eckert asked whether it was possible for one of the analysis team to travel to observe Oxford United F.C.'s training: [REDACTED]
[REDACTED] a stance [REDACTED] says [REDACTED] repeated in respect of the Ipswich Town F.C. Incident, although in respect of that incident [REDACTED] says [REDACTED] was approached by [REDACTED] and in respect of [REDACTED] written statement recited above, it is not altogether clear when and to whom [REDACTED] 'made it very clear' that [REDACTED] did not want to go as [REDACTED] did not agree with it. Whether [REDACTED] stated that [REDACTED] would not go because [REDACTED] thought it was morally wrong and/or against the Regulations is also not apparent to us.

79. In assessing this evidence, we also consider Mr Eckert's evidence before us, which was that *'no member of my coaching staff or the analysis team, or anyone else, raised any objection to me'*. He was expressly asked about the statement in [REDACTED] written witness evidence before the EFL Disciplinary Tribunal to which we have referred above. The following exchange took place:

"Mr Kelly: ...And I want to take you to paragraph 12 please. 'Tonda asked whether it was possible for one the analysis team to travel to [Oxford] ... to see how they are lining up'. And [REDACTED] says this: 'I made it clear very clear that I did not want to go to Oxford, as I didn't agree with it. I was aware that [REDACTED] was asked to go instead.'"

[REDACTED] *refused to go to Oxford; yes?*

Mr Eckert: I am not aware of [REDACTED] mentioning any of that in my presence.

Mr Kelly: Did you ask that somebody did go to Oxford?

Mr Eckert: Yes

Mr Kelly: Did [REDACTED] make it clear to you that [REDACTED] didn't want to go?

Mr Eckert: No

Mr Kelly: Were you ever told that [REDACTED] did not want to go?

Mr Eckert: No ... and if we go to 23 December

Mr Kelly: Yes

Mr Eckert: ... [REDACTED], as an analyst, would be one in a room similar to this to connect [REDACTED] computer and present the opposition that we are facing. So in no circumstance I would have even asked [REDACTED] to go because [REDACTED] is vital to be present for our matchday meeting."

80. In assessing this evidence, we accept the evidence of Mr Eckert. That is not a slight of [REDACTED] evidence but instead reflects that we did not hear from [REDACTED] and we have to give [REDACTED] evidence less weight. Further, when [REDACTED] said 'I made it very clear that I did not want to go to Oxford' in [REDACTED] written statement to the EFL Disciplinary Commission, [REDACTED] does not say that [REDACTED] made it very clear *to Mr Eckert* nor does [REDACTED] identify whether it was in the meeting [REDACTED] said this or afterwards. In the context of Mr Eckert's evidence we are not prepared to draw an inference that [REDACTED] said what [REDACTED] has recorded in [REDACTED] statement to Mr Eckert personally.

81. The refusal and reluctance of others, which also shades into the point about pressure being applied, is also relevant on this point. The [REDACTED] said that [REDACTED] said no to going to observe Ipswich Town F.C. train [REDACTED] " However, [REDACTED] said no to [REDACTED], not to Mr Eckert. Similarly, [REDACTED] evidence to the EFL Disciplinary Commission was, in respect of the Middlesbrough F.C. Incident that neither [REDACTED] nor the [REDACTED] wished to attend but that they agreed between them it would be the [REDACTED]. [REDACTED] does not suggest in [REDACTED] written statement that the reluctance was articulated other than between [REDACTED] and the [REDACTED]. [REDACTED] says [REDACTED] said no to going to observe Ipswich Town F.C. but, as with the [REDACTED], this was a conversation with [REDACTED] who, in [REDACTED] written evidence does not deal with the conversation. Indeed, [REDACTED] simply states that [REDACTED] told [REDACTED] the [REDACTED] would go.

82. In all the circumstances, we are satisfied and accept Mr Eckert's evidence that no one raised any objection with him, either when he made the request in respect of the Oxford United F.C. Incident or at any point after that.

83. We were also taken to a number of WhatsApp messages that were in evidence before the EFL Disciplinary Commission. That included a WhatsApp exchange after Mr Eckert had been told the [REDACTED] had been spotted observing Middlesbrough F.C.'s

training and moved on. A concern is raised by [REDACTED] because the [REDACTED] is in the background of a manager of the month photo and asks Mr Eckert whether he thought [REDACTED] should ask the media team to have it removed, to which Mr Eckert responds: “[REDACTED] on all of the other ones as well from the last 2 months.”

84. When cross-examined about this, which questions went to the inference of whether Mr Eckert knew what had happened was wrong, the following exchange took place:

“Mr Eckert: I didn’t understand the reason why [REDACTED] asked that; and it didn’t cross my mind that there is anything that needs to be covered up. And that’s how I responded.

Mr Kelly: Well, [REDACTED] hope, at that stage, was it not, was that [REDACTED] who had been caught at Middlesbrough wasn’t, in due course, associated with Southampton Football Club. That was [REDACTED] concern, wasn’t it?

Mr Eckert: I think that is speculation on my side what [REDACTED] concern was. My concern was the privacy of [REDACTED]”

85. We have considered this carefully, but do not accept that in all the circumstances it is evidence of Mr Eckert knowing that what was happening was against the Regulations and/or wrong.

86. Accordingly, on the issue of whether we should draw an inference, as sought by The FA, that Mr Eckert knew what was happening was wrong or turned a blind eye, we decline to draw such an inference. The uncontested evidence as to what Mr Eckert had experienced in Germany and Italy provides a strong foundation for his believing that what he was doing was acceptable but has to be considered in the context of his evidence, which we accept, that no-one told him that what he was doing was not only a breach of the EFL Rules, but also was not acceptable in this country.

87. However, we repeat that Mr Eckert has nonetheless rightly accepted the Charge and accepts in so doing that he:

“... acknowledge[s] and understand[s] that ignorance of the rules is not a defence. I also fully accept and recognise that, as Head Coach, I bear responsibility for understanding, and ought reasonably to know, the regulatory framework within which I am operating, as well as wider ethical boundaries within the football culture.”

88. We also observe, albeit it is a much less important point, that Mr Eckert was appointed part way through the 2025-26 season and therefore missed any training for managers and head coaches at the beginning of the season. This is a matter of relevance, but little weight, given we have no evidence whatsoever as to whether Regulation 127 of the EFL Regulations and/or the issue of observing training of opponent clubs would have been mentioned.

Pressure

89. We are mindful that the EFL Disciplinary Commission, chaired by HHJ Phillip Sycamore CBE, were moved to comment that they considered a 'particularly deplorable approach' was the use of junior staff members to undertake clandestine operations. In our hearing, when put by the Commission that an inference might be that inevitably it is going to be the junior members of staff who go off, because the more senior members of staff would be engaged in first team preparation, Mr Kelly fairly accepted that he could not say that would be an unreasonable inference and that he would not say it was an unreasonable inference.

90. We have already recorded that this part of The FA's case is based on inference, for they concede there is no evidence that Mr Eckert directly exerted pressure. Rather, The FA contends that the evidence shows that the pressure lay at his door, as he was the one who was the sole creator of the climate.

91. We have no hesitation in stating there is evidence of a perception of pressure being felt by more junior members of staff. In respect of the Middlesbrough F.C. Incident, for example, the [REDACTED] clearly stated in [REDACTED] written evidence to the EFL Disciplinary Commission: [REDACTED]

[REDACTED] [REDACTED] proceeds to give evidence about the dismissal of a former analyst and how [REDACTED] feared the same might happen to [REDACTED] and how it might affect [REDACTED] career. Equally, in respect of the Oxford United F.C. incident [REDACTED] written evidence was [REDACTED]

92. Equally, there was the written evidence of [REDACTED] who sought to give the [REDACTED] [REDACTED] a way out in respect of the Middlesbrough Incident:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

93. When cross examined before the EFL Commission, [REDACTED] gave the following evidence:

[REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

94. Having then made reference to [REDACTED] statement and, in particular, the passage recited above relating to giving the [REDACTED] an excuse for the Middlesbrough F.C. Incident, it was said:

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

95. However, having dealt with the [REDACTED] return, the following exchange took place:

[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]

96. The [REDACTED] was also cross-examined before the EFL Disciplinary Commission and gave evidence that [REDACTED] felt heavily pressurised into going to Middlesbrough.

97. We have to balance this evidence, however, when considering whether to draw an inference of the type suggested by The FA with the evidence of Mr Eckert. In his written statement before us Mr Eckert denies that he bullied or pressured junior members of staff in respect of the Incidents. He says the allegations he has seen “*have been extremely upsetting*” and that had anyone raised concerns with him at the time of the incidents he would have listened and never forced anyone to do anything to which they had a moral objection, let alone something that was a breach of the rules.

98. Mr Eckert proceeds to give evidence of how he has considered the question of why or how was it that no one told him the Incidents were wrong with the club's psychologist. Reflective of what the Commission considers was the deep introspection and reflection with which Mr Eckert has approached the Incidents since the EFL proceedings, he also says:

"Although I did not apply pressure directly to my staff members, and I absolutely did not bully anyone, having now reflected and considered the evidence of my colleagues in the EFL proceedings, they may well have felt pressure indirectly, as a result of a number of factors, including (i) the high-performance culture that I have sought to foster at the Club; (ii) the dismissal of [REDACTED]; and (iii) the context of the Club's promotion fight last season."

99. He then addresses each in detail before identifying steps he has taken to ensure that, moving forward, any colleague at Southampton F.C. should feel able to raise concerns, challenge decisions and bring issues to his attention.

100. Mr Eckert was asked some questions in examination in chief. The case advanced being one of inference, the following exchange is of some importance:

"Mr Harris: can you, briefly, just explain to the Commission members in your own words [whether] or not you did personally pressure anybody at the Club to perform observations ...

Mr Eckert ...

And as soon as the EFL hearing was concluded, I think there has been an image drawn of me as a person that goes over moral and goes beyond ethics to put pressure on employees [of] the Football Club that have raised their objections into doing training observations and I've gone beyond that. And it has hurt me and it hurts me today that this image of there has not only been discussed today but its out in the public, because, as much as I feel pressure to perform, and maybe since 19 May, more than ever feel a pressure of being observed in the way I do that, I clearly never – and it is very important for me to get that across – never have come across any objections on a moral ground from employees of the Football Club; and I have never pressured anyone into doing something that they felt was morally wrong."

Mr Harris: Can you explain, briefly, in your own words, whether you agree that people at the Club may have felt pressure did not come from you personally?

Mr Eckert: Going back to the incidents at the time in which they occurred, it didn't cross my mind that there's a feeling of pressure by analysts, employees, members of the coaching staff; and it has hurt me, and I still regret that deeply, to read that, very clearly, reading those WhatsApp messages that our analysts have shared amongst them, there has been a feeling of perceived pressure. And I have taken --- every single day --- since then, I have taken the summer to understand where their perceived pressure came from and try to make sure that I find ways for every employee of the Football Club to find a way to raise those perceptions if they should ever come up again."

101. Equally, Mr Eckert was cross-examined on the issue of pressure. His answers took much the same line. Indeed, when asked by Mr Kelly why he thought they felt pressure, Mr Eckert gave a long answer having stated: *"I have reflected a lot on why pressure was ... perceived in those instances; and I think there are several factors that come into play on how you perceive pressure."*

102. Mr Eckert proceeds to discuss sporting pressure and his view that a big part of the pressure, on reflection, arose from the departure of [REDACTED] from the club.

103. In the Commission's view this evidence was simply part of what the Commission considered to be a remarkable degree of introspection and reflection on the part of Mr Eckert on the Incidents and a very deep analysis within himself, seeking to understand what had happened and why.

104. Further, on the issue of pressure, the inferences The FA asks us to draw are that the pressure was 'at his door' and that the lack of option, the determination that this would be done come what may, was his doing. We decline to draw such inferences on a point which we understand, primarily, was said to be a potential aggravating feature. We accept Mr Eckert's evidence that he was hurt when he saw the evidence in the EFL proceedings of the pressure that more junior members of staff had felt and that he was wholly unaware of this perception of pressure at the time of the Incidents.

105. As to the suggestion that the culture was one set by Mr Eckert, the Oxford United F.C. Incident took place less than 2 months after his interim appointment and less than 1 month after his permanent appointment. Whether he had affected the culture to such an extent in such a short time as to be held responsible for it is not a matter on which we have the evidence to comment. There is no doubt there was a perception among Junior members of staff, but whether that was unique to Mr Eckert and/or caused by him are not matters we consider we have sufficient evidence on to make a finding, or indeed that the evidence we do have on pressure, including that referred to above, is sufficient to make that conclusion.

Systemic or organised course of conduct

106. This was also suggested as a possible aggravating feature for the Commission to consider on the facts. However, we have no hesitation in rejecting any suggestion of a systemic or organised course of conduct. That there were 3 separate incidents, two of which involved Mr Eckert asking that observation took place, and one of which was his accepting CCTV footage of training, is not in dispute. That the appropriate sanction will reflect all 3 Incidents also cannot be disputed.

107. However, absent evidence of a regular system of observation of all opponents, we do not consider that the facts underlying the Incidents we are considering elevate matters from a repetition to a systemic or organised course of action. Ultimately, as we have found, Mr Eckert had specific, but different, reasons for asking for observation of Oxford United F.C. and Middlesbrough F.C.'s training sessions. The case of Ipswich Town F.C., was different in that we consider he accepted he should receive CCTV of its training session. In the Commission's view this is not systematic or organised. It is simply reflective of what Mr Eckert, wrongly, thought could be done.

Starting Point

108. On the issue of sanction, the difference between the parties as to the appropriate sanction is stark. The FA contends, after mitigation and credit for his admission of the Charges, that Mr Eckert should be banned from all football and football related activity for a minimum period of 3 months as well as receiving a financial

penalty. In contrast, submissions on behalf of Mr Eckert were that he should receive a public reprimand, a moderate financial penalty and such further community service measures as the Commission considers appropriate.

109. Before we come on to consider what we think is considerable mitigation in this case, we must consider the Charges and what we consider to be the appropriate starting point for sanction. We have been referred to authorities on the appropriate approach to sanction, which in our view are consistent. As was said in The FA v Everton (Regulatory Commission, 22 September 2022, Chair: David Phillips KC FCI Arb), at paragraph 18, the overriding principle is that the sanction must be proportionate to the facts of the individual case.

110. The FA, on the issue of sanction, have referred us to the FIFA Appeal Committee decision in the case of The Canadian Soccer Association & Others v FIFA [FDD-18967] dated 28 April 2024. We have also been referred to the CAS decision in the same matter, namely Canadian Olympic Committee Canada Soccer v FIFA and others, CAS OG 24/09.

111. We find that case of limited assistance. Indeed, in its written response to Mr Eckert's Reply, The FA did not advance it as a case which goes much beyond identifying the seriousness of the Charges. It was said:

"The FA has considered the FIFA Appeal Committee decision concerning the Canadian women's national team at the Paris 2024 Olympic Games ... That decision confirms that conduct about an opponent's preparation is capable of attracting a substantial sporting sanction. The FIFA Canada decision was determined on its own facts, in a different tournament and regulatory context. It is a useful indicator of seriousness, but does not necessarily establish a direct tariff for the present case."

112. We tend to agree with The FA's categorisation that the case illustrates the seriousness of spying and how it has no place in sport, but that it does not necessarily establish a tariff in the present case given the differences on the facts, which were also emphasised by Mr Harris on behalf of Mr Eckert.

113. We were also taken to the case of The English Football League v Leeds United Football Club from 2019, which we note from the papers appears to have been the catalyst to what is now EFL Regulation 128 (and was EFL Regulation 127 last season).

In that case the then Leeds United F.C. head coach took responsibility for an incident at Derby F.C. and explained that he had previously instructed observations on other opponents. We note that Leeds United were fined £200,000 but that no action appears to have been taken against any individual, but also note that in the CAS decision in the Canadian case, the following was said:

“Historic approach to espionage cases: the cases mentioned by the Applicants were not judged by FIFA. FIFA has speculated, not without basis, that it would have imposed a higher sanction in the Bielsa case ...”

114. Accordingly, we have some limited guidance, but otherwise we were not referred to any precedent which may be relevant on sanction, save the overriding principle that the sanction must be proportionate to the offence on the facts before it, including on the issue of deterrent:

“A Regulatory Commission is not entitled to include a ‘deterrent element’ in/add a ‘deterrent element’ to a sanction if by doing so the overall sanction imposed would become disproportionate to the offending under scrutiny in a particular case. Put simply, a Regulatory Commission is not entitled to increase a sanction for the purpose of deterring others (or the respondent) from offending in the future if by doing so the nature or level of the sanction imposed would increase to a level that was no longer proportionate to the facts of the case for which the sanction is being imposed.”: See The FA v Jurgen Klopp, 13 November 2022, Chair Graeme McPherson KC).

115. In this context our starting point in considering the sanction to be imposed before any aggravation and mitigation is taken into account or credit given for Mr Eckert’s admission of the Charges, and whether any element of the sanction should be suspended, is the seriousness of the underlying facts which have given rise to the Charges, which cover 3 separate incidents.

116. Spying on an opponent is, in the view of the Commission, a very serious offence. It is expressly forbidden by the EFL Rules in the period of 72 hours before a match scheduled to be played between those respective clubs: now Regulation 128 of the EFL Regulations.

117. The Commission notes that this does not prohibit observation of training outside of these hours and the lack of a complete ban may suggest that outside of

these hours such observations might, arguably, be permissible. However, that does not arise in the current scenario and in any event, irrespective of the timing of such observation it is difficult to see how spying on an opponent to gain a sporting advantage, as was the case in the present instance, could be described as other than acting toward another club with considerably less than the good faith that is required by EFL Regulation 3.4., but is also contrary to the best interests of the game and improper, such that it will bring the game into disrepute for the purposes of FA Rule 3.1. It is an integrity issue. As was said by The Rt Hon Sir Gary Hickinbottom, sitting as a League Arbitration Panel:

“This was not a prank. Cheating in sport, including spying, is a serious offence, undermining as it does the concept of ‘fair play’, one of the fundamental principles in sport (see e.g. Leeds United at [10], and Canada Soccer at [65]. As the Commission observed ... public confidence in the integrity of sport – and of each competition within a sport, particularly at an elite level – is paramount. Cheating undermines that confidence.”

118. It also cannot be ignored that the Incidents occurred in the Championship, when promotion to the Premier League was a possibility, especially in the context of the Ipswich Town F.C. Incident and the Middlesbrough F.C. Incident.

119. Having regard to all these matters, but with little guidance other than a 1-year ban arising in the Canada Soccer case, which is said by The FA, rightly in the Commission’s view, not to establish a direct tariff, and the Leeds United case where a financial sanction was imposed, we begin by asking ourselves whether as a starting point a sporting sanction is appropriate?

120. Mr Harris urged upon us that a sporting sanction was not appropriate, but instead there were a basket of non-sporting sanctions that could be imposed. He also urged upon us that if we were against him on that and determined that a sporting sanction were appropriate, there were alternatives to a ban, as sought by The FA, such as a touchline ban or a stadium ban. Indeed, in opening Mr Harris identified three principal reasons for suggesting that an immediate ban of 3 months, which was sought by The FA, would be disproportionate for 3 reasons, namely:

120.1. Because of what he described as ‘exceptional’ mitigation;

120.2. The inevitability, as Mr Harris put it, of Mr Eckert losing his job if there were a 3-month ban; and

120.3. Because another entity will also suffer, namely the Club and its supporters.

121. We address *all* of these issues below and, in any event, the points of mitigation must come after we have identified a suitable starting point and considered if there are aggravating features.

122. In our view, however, the seriousness of the underlying events which give rise to the Charges can only be proportionately sanctioned by the imposition of a sporting sanction and in that respect we were unimpressed with the suggestion of a touchline ban or a stadium ban, which might equate the events before us with other matters inappropriately: for example, a touchline ban being imposed on a head coach for an in-game misdemeanour.

123. Having regard to all the matters referred to, our starting point is that there must be a ban from all football and football related activity and in the circumstances of this case, including the findings we have made about Mr Eckert not knowing what he instigated was in breach of regulation and morally wrong, the proportionate sanction to reflect the seriousness of spying is one of a 4-month ban, namely 16 weeks. That is likely to encompass approximately 20 league fixtures. Whilst this is somewhat lower than the 'at least nine months' suggested by Mr Kelly before mitigation, we consider that to be too high, especially given The FA's acceptance the Canadian Soccer case did not provide a direct tariff.

124. We also consider that the seriousness of the matters underlying the Charges mean that a financial penalty should be imposed, which we consider should be in the sum of £75,000 having regard to Mr Eckert's remuneration which will remain confidential. The calculation of this fine (plus mitigation applied) is identified in Schedule B which shall remain confidential. In addition, a reprimand should be imposed.

Mitigation/Aggravation

125. Having identified our starting point we must turn to mitigation which we consider to be considerable in this matter.
126. Before dealing with the various points that have been advanced by Mr Harris as mitigation, we must make some observations on Mr Eckert as a witness before us. We are mindful that in the League Arbitration Panel, The Rt Hon Sir Gary Hickinbottom noted that the EFL Disciplinary Commission were “unimpressed” with some of the Club’s witnesses, including Mr Eckert, suggesting they were unaware the observations were in breach of EFL Regulations for various stated reasons. We also note that the EFL Commission were not persuaded that the information from the observations had not been of much use, a point we have not concentrated on because we do not consider that whether or not the information was or was not useful takes away from the seriousness of the offences (or offers mitigation), which in the case of Mr Eckert concentrates on his requesting observation in the Oxford United F.C. Incident and the Middlesbrough F.C. Incident and authorising receipt of CCTV in the Ipswich Town F.C. Incident.
127. Mindful of the findings below, we nonetheless found Mr Eckert to be a particularly impressive witness. That another Commission, on another day, were unimpressed with some of his evidence is a matter we have considered, but it does not alter our impression of him as a very impressive witness in the evidence he gave to us, both in writing but particularly during the hearing.
128. It was evident to the Commission that Mr Eckert has reflected very deeply and seriously on what had happened, including not simply reading all the EFL Regulations so he was aware of them, but going to quite extraordinary lengths not simply to learn the Rules but also to understand *why* the Rules are as they are, including seeking to understand the differences in culture between what happens in this country and what happens in countries where he had worked previously.

129. Having seen Mr Eckert give evidence, our clear impression was that his level of contrition was as deep and meaningful as could reasonably be expected of any individual and that he had been genuinely surprised that no-one had raised an objection with him as well as being hurt at hearing the evidence from more junior members of staff as to the pressure they felt.

130. We therefore turn to the first issue we have asked ourselves, namely whether there are any aggravating features? The FA suggested there were potentially two, namely the pressure applied to junior members of staff and also the repeated nature of the offending. We have already dealt with these issues: for the reasons stated above we do not consider that the perceived pressure undoubtedly felt by junior members of staff can be laid at Mr Eckert's door and although there are 3 rule breaches, we do not consider there was a systematic or organised course of conduct such that the fact there are 3 breaches means this is of itself aggravating.

131. Accordingly, in the present instance we do not consider there to be any aggravating features, although that does not dilute the seriousness of the matters underlying the Charges. Furthermore, we have had regard in what we say below to the fact there are 3 Charges and 3 Incidents for which we are sanctioning.

132. The first point relied upon by Mr Harris was that of what he described as 'exemplary co-operation'. This has some, but limited weight, in the view of the Commission. There is no doubt that Mr Eckert's co-operation has been what might be said to be 'exemplary', in his conduct and openness in the interview with The FA's Integrity officers, as well as in respect of these proceedings. However, the limited weight on this point is the expectation that any Participant would co-operate with a request for an interview and in respect of such proceedings in a similar manner.

133. The second point advanced was that of Mr Eckert's genuine contrition. We have already referred to this and cannot emphasise enough that on our view of the evidence given to us by Mr Eckert, including observing him give evidence, we wholly accept not only that there is a high degree of contrition, but that the contrition is genuine. It extends beyond the deep introspective reflection undertaken by Mr Eckert, including his seeking to understand not only the Rules and Regulations, but why those Rules and Regulations are in place and the cultural differences from what he has experienced previously, but to matters such as his giving time to the Saints Foundation, which we would expect to be a commitment that continues.

134. He has also engaged, as part of his reflection, with [REDACTED], a psychologist from whom we had written evidence. Whilst we note he had engaged with [REDACTED] as soon as he was appointed (namely before the Incidents), in respect of the particular impact of the EFL Disciplinary Proceedings [REDACTED] made the following statements:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

135. The next point advanced in mitigation is what Mr Harris referred to as 'unprompted multiple apologies'. In this regard, we note that The FA in its Response to Mr Eckert's Reply states: "*The FA acknowledges and welcomes [Mr Eckert's] admissions and his unreserved apology to the clubs, the EFL, [Southampton F.C.], its players and supporters.*" In the Commission's view such apologies are best viewed, when considering mitigation, as part of Mr Eckert's contrition as opposed to a separate head of mitigation.

136. The fourth point advanced by Mr Harris was what he referred to as the fact there was clear evidence that Mr Eckert had learned lessons from the 3 Incidents. We think that, in reality, this is another sub-set of the genuine contrition that has been shown by Mr Eckert as opposed to a separate head of mitigation and if not part of the contrition is properly considered as part of the next point advanced.

137. That next point is that of the implementation of procedures to ensure that the lessons learned are actually put into practice. In the view of the Commission this is taking the genuine contrition and then building upon it. We have seen an email from Mr Eckert which follows up an email from [REDACTED] reminding everyone on the 'All

Colleagues Training Ground' email (whoever they may be) of the importance of complying with applicable laws and regulations, in which Mr Eckert says:

"Just to add to the email from earlier – my door is always open if you have any questions about the rules or regulations, and if you want to raise any concerns. It is important that everyone feels able to speak up, either to me or to other members of the coaching staff, or if you would prefer, anonymously, using the link or QR code in the below email."

138. In his statement Mr Eckert says this was sent to all coaching and analysis staff and followed a meeting after the EFL proceedings where Mr Eckert met with coaching staff to explore why no one had raised any objections to what he had suggested, as well as a trip to Berlin where the coaching staff were given an opportunity to have their say on what had happened and to discuss workflows and processes put in place for the new season, although the detail of such processes, if different from the above, do not appear to have been put before us.

139. Mr Eckert also continued to work with groups he had set up with [REDACTED] in January 2026, namely an 'All In' player group and an 'All In' staff group which are intended to be spaces for open and honest communication, where the issues in the proceedings have been discussed.

140. Overall, on the issue of implementing procedures, there is little evidence of the detail of the procedures which have actually been implemented since the EFL Disciplinary Procedures, save for the meetings referred to in paragraph 139 above. However, in the Commission's view the evidence we have provides mitigation in not only having reflected on the Incidents, Mr Eckert has sought to shift the culture so that anyone who has any concerns can raise them, notwithstanding the sporting environment is always one directed toward winning.

141. A point was also advanced that there is no relevant record of Mr Eckert having been involved with a similar offence. The Commission would have been very surprised if there had been, and no doubt sanctioning would have been very different if there had been such a record, but the lack of commission of such a serious offence, in the Commission's view, carries little weight as mitigation.

142. A couple of other points were also advanced by Mr Harris on Mr Eckert's behalf, the first being that Mr Eckert is a young man who should be given a second chance. We were referred to the case of The FA v Mitch Clark (Chair: Andrew Mercer, 23 June 2023), a case in which the age of the Participant was taken into account by that Regulatory Commission in respect of a breach of FA Rule E1.2. In the circumstances of this case, we think Mr Eckert's inexperience provides some limited mitigation.

143. We have also had regard to the character references submitted and what Mr Harris referred to as Mr Eckert's attitude toward others.

144. A further point we must consider in the context of mitigation is the impact a ban for all football and football related activity will have on Mr Eckert's job. In this regard we note in The FA v Lake (Appeal Board, 21 May 2024, Chair: HH Clement Goldstone KC) it was said:

"Second, we deal with the point of principle about whether or not it is right for a Commission to take account of action taken by an employer Club in determining length or suspension of a ban. We have no doubt that it is wholly correct for a Commission to do so. We would go so far as to express the view that a failure to do so would itself be unreasonable and contrary to the rules of natural justice. Commissions are regularly faced with cases where employer Clubs have or have not taken action against a player charged with breaches of FA rules and are well-used to dealing with the issue. It should not be disregarded by a Commission on the basis that it [or the hypothetical case of a post-breach injury] is a collateral matter. It is highly relevant and pertinent and will, we are confident, continue to be given the weight it merits on a case-by-case approach."

145. The Appeal Board in that case then proceeded to criticize the Regulatory Commission for speculating on the actions of the Club, as opposed to considering evidence before it.

146. We therefore turn to the evidence in the present instance. Mr Harris advanced three principal points, two of which relate to 'evidence' and one of which is an inference. We shall take them in reverse order of how they were presented, as having dealt with the points of evidence, the suggested inference is easier to explain.

147. It was said that an article from the BBC Sport website which included quotations from the Southampton F.C. owner show that Mr Eckert would lose his job if banned. We accept that the report says the owner said:

“... he will have my support through the process. But if he’s banned, he’s banned. I mean, I can’t put somebody to manage the club if he is not allowed.”

148. In the Commission’s view this is, at best, evidence to which very little weight can be attached. It is an ambiguous statement which has no regard to the proposed length of a ban and what the position might be in respect of different periods. Indeed, we note the report is dated 2 June 2026, whereas The FA only identified on 1 September 2026 that it was seeking a ban of at least 3 months duration.

149. Mr Harris sought to argue that he could not bring a statement about what the Club might do before the Commission because it would be confidential. However, we wholly agree with Mr Kelly in his rebuttal that an application could have been made to keep that information confidential, as is the case with the details of Mr Eckert’s employment contract. Mr Harris further argued that the Club would not wish to put a document in front of the Commission about dismissal, given the Club are supporting Mr Eckert at this time. In the Commission’s view that is a matter for them, and they have chosen not to do so. Finally, it was suggested by Mr Harris that delicate employment law considerations were at play: that may be, but in the Commission’s view it would not have prevented evidence taking a definitive position on certain aspects, such as if there was a 3-month ban from all football and football related activity, as had been suggested by The FA.

150. The second point raised relates to the terms of Mr Eckert’s contract. We will not detail the terms of that contract in these Written Reasons to protect confidentiality. However, we accept the contract is such that if Mr Eckert is suspended for [REDACTED], Southampton F.C. may contractually be entitled to terminate his employment. We put it no higher than that.

151. Having had regard to this ‘evidence’ the third point advanced by Mr Harris was an inference that it was ‘obvious’ that if Mr Eckert cannot do his job he will be dismissed. We do not consider it to be obvious at all, as distinct from it being a potential outcome which certainly could not be said to be a fanciful possibility. Southampton F.C. have notably stood by Mr Eckert to date, notwithstanding the punishment handed down

by the EFL Disciplinary Commission, which was upheld on appeal and which included their expulsion from the Championship Play – Offs, which removed their chance to compete for promotion to the Premier League at the end of last season.

152. Having regard to Lake we are not going to speculate. Accordingly, we go no further than to note that if Mr Eckert is banned, including for the 4-month starting point we have considered above, there is a possibility that he will lose his job. We cannot and do not go further than that. Accordingly, we accept the point is relevant to mitigation and we take it into account, but it is only limited mitigation as it is only a possibility on the evidence before us.

153. Mr Harris also referred to the admission of the Charges. We have no doubt that credit should be given for this once we have taken into account the impact of aggravation and mitigation as discussed above. Mr Eckert admitted the Charges at the first available opportunity which saved a great deal more evidence being considered that the 1000+ pages we have been presented with, as well as more live evidence. We think it is appropriate to apply a 1/3rd discount.

Sanction – applying mitigation

154. Firstly, for the reasons stated we do not consider there are any aggravating features in this matter which would cause an uplift in our starting point.

155. Secondly, also for the reasons stated, we consider there is considerable mitigation in this matter, most particularly around the genuine contrition the Commission considers has been clearly shown by Mr Eckert in his evidence to us. We shall not repeat all the facets of the mitigation referred to above but have regard to them all such that in totality we consider the mitigation is substantial on what is the proportionate sanction on the facts of this case. It consequently has a substantial impact on our starting point. We apply a 7-week reduction in the ban, such that it is reduced to a 9 week ban for all mitigation, subject to credit for admission of the Charges. That is then applied to the 9-week period, the credit being 1/3, such that the ban is taken, after mitigation and the credit, to a ban from all football and football related activity of a period of 6 weeks.

156. We apply a similar analysis to the fine, the calculation of which is set out in Schedule B to these Written Reasons which are to remain confidential. That has the effect of reducing the fine to £28,000.

157. Mr Eckert will also be issued with a reprimand in respect of all 3 charges.

Suspension

158. We then turn to the issue of whether the sanction, or any element of it, should be suspended in accordance with Regulations 43 and 44 of the General Provisions of the Disciplinary Regulations, as Mr Harris urged upon us we should do in the event we were against him, as we are, on whether any sporting sanction should be applied. Regulations 43 and 44 provide:

“Save where any Rule or regulation expressly requires an immediate penalty to be imposed, and subject to paragraphs 44-46 below, the Regulatory Commission may order that a penalty imposed is suspended for a specified period or until a specified event and on such terms and conditions as it considers appropriate.

When considering imposing a suspended penalty, a Regulatory Commission must:

- a) Determine the appropriate penalty for the breach, irrespective of any consideration of it being suspended; and*
- b) Consider whether there is a clear and compelling reason(s) for suspending that penalty; if so:*
 - i. Set out what that clear and compelling reason(s) are; and*
 - ii. Decide the period of the suspension, or event, until which the penalty will be suspended; and*
 - iii. Upon what other terms or conditions, if any, the penalty will be suspended.”*

159. We have the benefit of guidance on considering a suspension in both *The FA v Lake*, to which we have already referred, and also *The FA v Sharpe* (Appeal Board, Chair Graeme McPherson, 30 July 2026), especially at paragraphs 30 – 39. This latter case takes a slightly different course from *Lake* but states at paragraph 39:

“Of course, not every fact or matter considered during the first step (whether as potential mitigation or otherwise) will be capable of amounting to a clear and compelling reason for suspending the appropriate penalty arrived at following the conclusion of that first step; far from it. While there is no benefit in attempting to define what might or might not amount to a ‘clear and compelling reason’ given that every case will depend on its own fact, a Regulatory Commission is only entitled to suspend a penalty if the facts and matters under consideration provide a clear and compelling reason why:

- a) The appropriate penalty that it has arrived at following step 1 should not be imposed with immediate effect, and*
- b) That penalty should instead be suspended for a defined period or until the occurrence of a defined event.”*

160. We have already identified the outcome of step 1, prescribed by Regulation 44 (a) above. We thus come to the issue of whether there are clear and compelling reason(s) for suspending the sentence and we consider that on the facts of this matter there is a clear and compelling reason why that part of the sanction which comprises the ban from all football and football related activity should be suspended.

161. That clear and compelling reason arises from a consideration of the totality of the sanction. Although this Commission has, to date, considered the actions of Mr Eckert and the appropriate sanction against Mr Eckert, we cannot fail to have regard to the impact of his not being available as Head Coach of Southampton F.C. on others: namely Southampton F.C., its supporters and other stakeholders

162. The EFL Disciplinary Commission has already imposed sanctions on Southampton F.C. in the form of expelling them from last season’s Championship Play-Off’s, thereby removing from them the opportunity of promotion to the Premier League, and also imposed a 4-point deduction, which is a sanction which has effect in the current season.

163. In the unusual circumstances of this case, we consider that it is appropriate to have regard to the impact a ban on Mr Eckert would have, irrespective of whether or not he loses his job. That regard must include the impact on the Club, its supporters and stakeholders and what would, in the Commission’s view, unquestionably be the

equivalent of a further sanction being imposed on them if their Head Coach was unavailable for a period of six weeks in the Championship season.

164. We consider that this is a clear and compelling reason to suspend that part of the sanction which comprises the ban from all football and football related activity. It does not, however, apply to the fine or the reprimand which are matters which are purely personal to Mr Eckert and which do not, in our view, have an impact on others. We do not consider that Regulations 43 and 44, as recited above, should be read so restrictively as to be binary in the sense of requiring suspension of the sanction to be applied to the whole or none of the sanctions. It would, in our view, be non-sensical for example to suggest that a reprimand had to be suspended if other elements of the sanction were to be suspended. Furthermore, we consider that in referring to suspension of 'a penalty' in Regulations 43 and 44, the meaning of the words used has to be considered in the context of Regulation 41 which provides that the Regulatory Commission shall have the power to impose any one or more of the 'following penalties'. Thus, the reprimand, the ban and the fine are all separate penalties, combining to provide the overall sanction.

165. In accordance with Regulation 44 we must next consider the period of the suspension. We consider that in all the circumstances it is appropriate that the suspension runs for the remainder of the current season and for the following season (namely season 2027/28) as well, up to and including 30 June 2028.

166. As to terms and conditions applicable, the suspension should only be lifted if Mr Eckert is found to have committed a breach of any Rule or Regulation by requesting, authorising, taking part or using information from any observation of the training of another club, in whatever guise that observation may take.

167. We have considered whether we should state that any breach of Rule or Regulation could cause a Regulatory Commission to lift the suspension, but we think that is far too broad. We have also considered whether any breach which is 'serious' could cause the suspension to be lifted, although that rather begs the question of what is 'serious' and we do not wish to attempt an exhaustive list. Having regard to the intent and the circumstances of this suspension and this case we consider the above condition to be the most appropriate.

168. We also add that we have considered whether suspension on the clear and compelling ground we have identified is appropriate given that during the period of suspension it is possible that Mr Eckert may leave Southampton F.C. This could be for footballing reasons, or indeed it maybe he leaves to pursue another opportunity. We have considered this, but we cannot determine what may or may not happen in the future. We must impose the sanction on matters as they stand now, not on the basis of hypotheticals and therefore conclude suspension remains appropriate.

Conclusion

169. Accordingly, we impose the following penalties on Mr Eckert:

169.1. He is to be issued with a reprimand on each of the Charges against him;

169.2. He is to be banned from all football and football related activity for a period of 6 weeks, such ban to be suspended in full for the remainder of the 2026/2027 season and for the 2027/2028 season (up to and including 30 June 2028). The suspension should only be lifted if Mr Eckert is found to have committed a breach of Rules or Regulations by requesting, authorising, taking or using information from any observation of the training of another club, in whatever guise that observation may take.

169.3. He is fined the sum of £28,000.

170. The Commission makes no order as to costs.

171. This decision of the Commission may be appealed in accordance with the appropriate Regulations.

Christopher Stoner KC (Chair)

Lawrence Selby KC

Alison O'Dowd

5 October 2026.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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