

FOOTBALL ASSOCIATION REGULATORY COMMISSION
IN THE MATTER OF JOE COLBECK OF GRIMSBY TOWN F.C.

REASONS FOR REGULATORY COMMISSION DECISION
30TH NOVEMBER, 2012

1. These are the written reasons for an F.A. Regulatory Commission decision made on Friday, 30th November, 2012.
2. The Regulatory Commission Members were Mr. Maurice Armstrong (Chairman), Mrs. Elaine Oram and Mr. Alan Jones. Mr. Robert Marsh, the Football Association Senior Disciplinary Assistant, acted as Secretary to the Regulatory Commission.
3. The Charge against Mr. Colbeck was for four breaches of F.A. Rule E3 relating to Twitter comments, as detailed below:-
 - i) “@shaunpearson5 @cooky1990 tell him to come for me when he has recharged it! In the mean time tell him to buy some new gear #mongballer”.
 - ii) “@shaunpearson5: Look at this clown! @cooky1990 @anditha112 pic.twitter.com/Dmrhaubn” biggest mong in football”.
 - iii) “Ella Henderson should just walk home with the x factor crown right now #worldclass. Louis Walsh go get bummed #pleb”.
 - iv) “Louis Walsh ready for Rylans cock pic.twitter.com/laSM8IFh”
4. It was alleged that Mr. Colbeck’s posting of the above comments on his Twitter account was improper and/or brought the game into disrepute.
5. It was further alleged that each of the breaches included a reference to a person’s or persons’ disability and/or sexual orientation within the meaning of Rule E3(2).
6. Mr. Colbeck admitted the Charge and did not request the opportunity to attend a Regulatory Commission for a personal hearing.
7. We considered in detail the submissions of The Football Association and Mr. Colbeck’s acceptance of the Charge in his letter dated 27th November, 2012.
8. The Members of the Regulatory Commission were of the belief that Mr. Colbeck’s comments were improper and brought the game into disrepute. Furthermore, we also found that the comments included a reference to a person’s or persons’ disability and/or sexual orientation within the meaning of F.A. Rule 3(2).
9. The Members of the Regulatory Commission noted Mr. Colbeck had apologised for the comments which could have caused offence to others.
10. The Members also noted that he acknowledged, as a professional footballer, that he had let his Club and supporters down, as well as himself.

11. When considering an appropriate sanction, we considered Mr. Colbeck's previous disciplinary record and admittance of the Charge. We also noted his net weekly income from football.
12. The Regulatory Commission considered a warning as to the player's future conduct and a fine to be reasonable and consistent course of action for this breach of F.A. Rules.
13. Since the offence was aggravated by a reference to a person's or persons' disability and/or sexual orientation within the meaning of F.A. Rule E3(2), the Commission noted that F.A. Rule E3(2) states that a Regulatory Commission shall consider the imposition of an increased sanction, taking into account the following entry points:
 - For a first offence, a sanction that is double that which the Regulatory Commission would have applied had the aggravating factor not been present.
14. Had the offence not been aggravated by such a reference, then the Regulatory Commission would have considered a fine of £750.
15. However, due to the reference to a person's or persons' disability and/or sexual orientation, we noted the entry point under F.A. Rule E3(2) and imposed a fine of £1,500.
16. Mr. Colbeck has a right of appeal against this decision, as per the relevant appeal Regulations at Schedule D of the Disciplinary Procedures – Standard Direction.

M.M. ARMSTRONG (Chairman)

4th December 2012