

THE FOOTBALL ASSOCIATION DISCIPLINARY COMMISSION

Sitting on behalf of Leicestershire & Rutland Football Association

PERSONAL HEARINGS

of

**AFC LEICESTER
CHARLIE TATURE
CHLOE PARK
JOHN KAVANAGH
ALAN WELLS**

and

NON-PERSONAL HEARINGS

of

**IAN CARR
JASON KNIBBS
NEIL CROSGRAY
OADBY & WIGSTON FC
AMY COWEN**

THE DECISION AND REASONS OF THE COMMISSION

INTRODUCTION

1. The Football Association (“The FA”) convened a Disciplinary Commission (“the Commission”), on behalf of the Leicestershire and Rutland Football Association to adjudicate disciplinary charges levied by the Leicestershire & Rutland FA against AFC Leicester, Charlie Tature, Chloe Park, Ian Carr, John Kavanagh, Jason Knibbs, Neil Crosgrey, Oadby & Wigston FC, Alan Wells and Amy Cowen.
2. The Discipline Commission members were Mr Davide Corbino (Independent FA appointed Chair), Ms Dawn Wapples (FA Council) and Mr Rasheed Cadeer (Member of the Local Football Anti-discrimination Panel). Ms Rachel Scase of the Leicestershire & Rutland FA acted as Secretary to the Commission.

CHARGES

AFC Leicester

3. By letter of 18 August 2016, AFC Leicester Girls & Ladies (“AFCL”) was charged under FA Rule E20, failing to ensure players and/or officials and/or spectators conducted themselves in an orderly fashion. It was alleged that firstly, there was use of offensive and/or insulting and/or abusive language aggravated by reference to gender and secondly, the involvement of a mass brawl at the end of the fixture.
4. AFCL denied the charge and requested a personal hearing.

Charlie Tature

5. By letter of 4 August 2016, Charlie Tature (“CT”) was charged under FA Rule E3 with improper conduct against a match official (including physical contact and threatening and/or abusive language). CT was further charged under FA Rule E3 with improper conduct (including violent conduct and threatening and/or abusive language/behaviour).
6. CT denied the charge and requested a personal hearing.

Chloe Park

7. By letter of 4 August 2016, Chloe Park (“CP”) was charged under FA Rule E3 with improper conduct (including violent conduct and threatening and/or abusive language/behaviour).
8. CP denied the charge and requested a personal hearing.

John Kavanagh

9. By letter of 4 August 2016, John Kavanagh (“JK”) was charged under FA Rule E3 with improper conduct against a match official (including abusive language/behaviour).
10. JK denied the charge and requested a personal hearing.

Ian Carr

11. By letter of 4 August 2016, Ian Carr (“IC”) was charged under FA Rule E3 with improper conduct against a match official (including abusive language/behaviour).

12. IC denied the charge and requested a personal hearing.

Jason Knibbs

13. By letter of 4 August 2016, Jason Knibbs (“JKn”) was charged under FA Rule E3 with improper conduct against a match official (including abusive language/behaviour).

14. JKn denied the charge and requested a personal hearing.

Neil Crosgrey

15. By letter of 4 August 2016, Neil Crosgrey (“NC”) was charged under FA Rule E3 with improper conduct against a match official (including abusive language/behaviour).

16. ACFL responded on behalf of NC, denying the charge and requested a non-personal hearing.

Oadby & Wigston

17. By letter of 18 August 2016, Oadby & Wigston (“O&W”) was charged under FA Rule E20, failing to ensure players and/or officials and/or spectators conducted themselves in an orderly fashion.

18. O&W denied the charge and requested a non-personal hearing.

Alan Wells

19. By letter of 18 August 2016, Alan Wells (“AW”) was charged under FA Rule E3 with improper conduct (including violent conduct and threatening and/or abusive language/behaviour).

20. AW denied the charge and requested a personal hearing.

Amy Cowen

21. By letter of 4 August 2016, Amy Cowen (“AC”) was charged under FA Rule E3 with improper conduct (including foul and abusive language).

22. AC denied the charge and requested a non-personal hearing.

SUMMARY OF ALLEGATIONS

23. In the second half of the match between AFCL and O&W on 24 April 2016 (“the match”) it was reported that a number of representatives from AFCL, who were in the dugout at the time, had behaved improperly towards the assistant referee, Ms Hannah Randon (“HR”), who was also the assistant manager of O&W.

24. It was specifically alleged that CT kept sticking her leg out to trip HR and further that she deliberately kicked the back of her foot. It was further alleged that CT directed the following words towards HR: *“Are you fucking sure lino you cheating bastard” “just fucking do her, she’s shit anyway” and “the whole team is fucking shit we need to fucking do them”*.

25. It was alleged that IC directed the following words to HR: *“Do what the fuck you want, we do what the fuck we want too anyway” and “If you were fucking concentrating you wouldn’t need us to step out of your way”*. It was further alleged that IC directed the following remarks towards HR: *“fucking disgrace” and “you’re a fucking cheating bastard telling your players to go down so you can go on and give them information”*.

26. It was further alleged that JK said, *“you’re a fucking cheat”* and JKn said, *“fuck off”* and that the following remark came from the AFCL dug out *“She’s a fucking bitch, what you going to do about her”*.

27. It is alleged that during the course of the game, AC of O&W used abusive language towards an AFCL spectator.

28. Following the final whistle, it was alleged that CT pushed AC forcefully to the chest. It was further alleged that CP punched AC to the cheek. It was finally alleged that all of the

AFCL bench and the AFCL supporters had come on to the pitch, which resulted in a “40 person brawl”.

PRELIMINARY MATTERS

29. Before hearing any evidence, the Commission addressed two preliminary matters.

(1) Consolidation

30. Each of the above misconduct charges arose out of a series of connected incidents, which occurred both during, and following the conclusion of the match. The participants were separately charged.

31. It was the Commission’s view that the facts pertaining to each of the charges were so closely linked that the proceedings should be consolidated and all charges considered at a joint hearing. Subject to the Commission’s power to regulate its own procedure under Regulation 8.1 of the General Provisions of the Disciplinary Procedures (FA Regulations 2016-2017), all charges were consolidated.

(2) Non-Attendance

32. The Commission were informed that IC and JK n would not be in attendance. The Commission were satisfied that IC and JK n were notified of the hearing date in a timely fashion. The Commission were also mindful that there was no application for an adjournment, there was no formal notification to the County FA that they could not attend and any reasons as to why they could not attend and that both participants provided dates of availability to the County FA.

33. The Commission were satisfied that it was appropriate to deal with their cases by way of correspondence; as per their discretion under Regulation 6.11 of the Disciplinary Procedures (FA Regulations 2016-2017).

EVIDENCE

34. Ms Lesley Batchelor (O&W Club Secretary) was in attendance representing O&W and Mr Ralph Cockburn was in attendance representing AFCL. All parties confirmed that

they had been given enough time to properly prepare a defence and were ready to proceed.

35. We heard live evidence from a number of witnesses. The following is a record of the salient points of the live evidence that we heard; it is not intended to be a *verbatim* record.

36. Kevin French (Referee): Mr French stated that as he remembered, the behaviour of the AFCL dugout was fine. He stated that he was concentrated on the game and did not take any notice. He could not recall any specific incidents and he could not recall the assistant referee approaching him at half time. Mr French stated that there was no reaction from the dugout when a decision was made against AFCL. He provided that he did not see anyone trying to trip the assistant referee. Mr French stated that he did not recall HR say to him “ref can you do something about this abuse, you can hear it so can’t you tell them to leave me alone”. He did not hear any abusive remarks aimed at HR from CT. Mr French stated that he did not see CT push AC nor did he see CP punch AC. He denied seeing the punch and stated that Mr Wells was lying. He did not see any spectators on the field of play. Mr French provided that he was present during the confrontation between Mr Wells and Mr Carr. He stated that they were arguing and they put their heads together. He provided that he was right next to them when this happened and there was no head-butt from Mr Wells.

37. Hannah Randon: HR stated that the people she has identified as making abusive comments were right in front of her during the incident. HR stated that she saw them make the comments and that she saw them despite being the assistant referee because at times she had to run around them. HR provides that she knew IC, JKn and JK before the game and identified the others from the team sheet and the AFCL website. HR stated that JK had said, “you’re a fucking cheat”. She turned around straightaway and he had his finger pointed at her and said the same words again. HR provided that she had spoken to the referee when she came on the pitch to assist with an injured player and the referee replied that he would speak to them when he had time. HR stated that she did not know how to respond. That she had never been spoken to like that and so left it for the referee to deal with. HR stated that she did not speak to the referee after the match as the trouble started soon after. HR provided that she did not speak to the referee about what JK said during the game as she felt uncomfortable doing so. She stated that is why she decided to tell the referee whilst she was on the pitch. HR stated in relation to CT that she kept receiving taps on the back of her ankle. She stated that she saw CT behind her and CT

stated that she was trying to watch the game and HR was in her way. She accepts that she did not bring this to the attention of the referee but stated that she had lost all confidence in him. HR stated that she did not feel it necessary to report it to her manager. HR provided that she saw CP punch AC and CT push AC.

38. Charlie Tature: CT stated that she had been a substitute for much of the game and was giving encouragement to AFCL from the dugout. CT stated that HR told her to “shut up” on a number of occasions. She did not react to this and sat on the bench. CT stated that she felt intimidated and kept out of her way. CT provided that after the game, AC would not drop how her challenges had been fair and was saying it to anyone that would listen. CT stated that there was no reaction. CT stated that she did not see how the confrontation after the game started, she stated that she was not involved, that she did not push AC and did not see anyone punch AC. CT stated that she had heard there was a punch and was told that CP punched AC but was unable to say who told her or when she was told.

39. Chloe Park: CP stated that she was the GK in the game and that she wearing a green top. CP provided that she was angry with AC’s tackle on her but did not direct any anger towards her, it was directed more at the referee. CP stated that she was annoyed by AC’s reaction after this tackle. CP stated that after the game was concluded, AC approached her and said that there was nothing wrong with her challenge. She stated that AC then shoved CP to which CP then shoved her back. CP stated that she did know where CT was during this time and did not see her again until she caught with her in the car park.

40. John Kavanagh: JK stated that he heard groans questioning why HR kept running on the pitch. He was not able say who were making these comments. JK stated that it may have been parents but it was possibly from the dugout. JK stated that he was 10 to 15 yards away from the dugout. JK did not accept making any of the comments attributed to him by HR in her evidence. JK stated that he did know HR before the game and that she knew who he was as they had spoken before. JK further provided that the comment “you’re a fucking cheat” was made but it came from behind him. As to the incident after the game had concluded, JK stated that he did not know who instigated it and did not see all of the incident. JK stated that he saw CT go back to the car park after the melee took place. JK stated that he was 60 yards away from the melee and that he saw around 10/12 players involved from each side. He stated that no spectators entered the field of play. In relation to the incident involving AW, JK stated that AW was shouting at IC. When questioned by AW, JK stated that there was an attempted head-butt by AW. JK later stated in evidence that there was a “meeting of heads” between the two. He said that

there was no head-butt although he stated that it was a situation that could have flared up.

41. Sarah Wells: Ms Sarah Wells (“SW”) stated that she was with JK virtually the whole game. SW stated that she did not hear JK make any of the comments he was alleged to have said or hear any comments from the AFCL dugout. SW provided that she did not see the incident after the match had concluded, although she did see AC make a gesture towards a gentleman standing next to her.

42. Kathryn Burt: Ms Kathryn Burt (“KB”) stated that she was not in a position to see if anything untoward was going on between HR and AFCL dugout. KB provided that she did see AC make a gesture with her hands and tell a spectator to “f*** off” or “f*** you”. KB did not see the incident after the game. KB stated that she had known JK for 5 years and had never heard him use foul and abusive language. KB denied using any offensive language during the game.

43. James Allcock: Mr James Allcock (“JA”) stated that he was one of the assistant referees for the game. JA stated that the referee had a good game. He stated that AC’s tackle on CP was, in his opinion, a fair tackle. He stated that after the game, the only spectator he saw on the pitch was JK.

44. Alan Wells: AW stated that he was approximately 7 yards from the opposing dugout. He stated that he had not heard any abusive comments made towards HR. AW provided that no one had made him aware that any comments were being made towards HR. He stated that HR informed him quite some time after the game that CT had been standing on her feet and that JK called her a “fucking cheat”. He stated that HR had informed that other comments were made but did not give him specific details. AW stated that HR did not get an opportunity to tell him about what was occurring. He states that he was busy at half time and that HR knows he does not like to be interrupted. As to the incident after the game had concluded, AW stated that he did not see CT push anyone but he did see CP punch AC. AW stated that CP’s arm was arched when she punched AC. AW provided that he saw the punch connect with AC, CP punched with a closed fist and that he had clear vision at the time. AW could not recall which hand CP used to punch AC. AW accepted that he swore at the referee. AW said he did so when the referee said that he was not going to do anything about CP’s punch. With regard to the incident involving IC, AW stated that he went “face to face” with IC but there was no movement of his head as alleged.

45. All participants were then allowed to sum up and make final submissions.

46. In addition, the Commission were provided with the following written documents and statements from witnesses who did not attend live:

- i. A statement from Ms Sammy Hargrave dated 26 April 2016.
- ii. A statement from Ms Amy Cowen dated 26 April 2016.
- iii. A statement from Ms Amy Cowen dated 29 April 2016 including exhibited documents.
- iv. A statement from Ms Amy Cowen dated 24 July 2016.
- v. A statement from Mr Ian Carr dated 1 June 2016.
- vi. A further statement from Mr Ian Carr dated 1 June 2016.
- vii. A statement from Mr Jason Knibbs undated.
- viii. A statement from Mr Anthony Pitt undated.
- ix. A statement from Ms Joanne Worley dated 4 May 2016.
- x. A letter from Mr Neil Crosgray dated 28 February 2016.
- xi. A document titled "Defence" submitted by AFC Leicester, undated.
- xii. A further statement from Mr Anthony Pitt dated 12 September 2016.
- xiii. A statement from Ms Jenny Coles, undated.
- xiv. A statement from Ms Sandra Elday, undated.
- xv. A further statement from Mr Ian Carr, undated.

47. The Commission read and fully considered those documents.

THE BURDEN & STANDARD OF PROOF

48. The burden of proof in relation to the charges was on the County FA.

49. The standard of proof was the normal civil standard of balance of probability. The balance of probability standard means that the Commission is satisfied an event occurred if the Commission considers that, on the evidence, the occurrence of the event was more likely than not.

DECISION

50. In a Commission such as this, the assessment of the evidence is entirely a matter for the Commission members. We have to assess the credibility of the witness (that is whether a witness is attempting to tell the truth) and the reliability of the witness (that is whether, even though a witness may be attempting to tell the truth, their evidence might not be relied upon).

51. Where there are discrepancies between witnesses, it is for us to accept which witnesses to accept and which to reject. Even where there are discrepancies between witnesses or within a witness's own evidence, it is for us to assess if the discrepancy is important. Where, even within a witness's own evidence there are discrepancies, we are entitled to accept part of a witness's evidence and reject part of the same witness's evidence. Having considered which evidence we accept and reject, we then have to decide if, on the balance of probabilities, the alleged breach of the FA Rules is established.

52. The Commission proceeded to deliberate on the evidence given at the hearing, together with all the written documents provided. These deliberations took place on 27 October 2016. Unless otherwise stated, the decisions were unanimous.

Charges against Charlie Tature

53. The Commission were concerned with two charges, one of improper conduct and a further charge of improper conduct against a match official.

54. The Commission considered HR to be generally a credible witness. HR gave detailed evidence as to what was said.

55. HR provided in evidence that she had made a complaint to the referee during the game and the Commission were satisfied that such a complaint was made. The view of the Commission was that the Referee was not an impressive witness. The Commission found him to be somewhat evasive and he stated on numerous occasions that he could not remember what had happened.

56. Notwithstanding those considerations, there were elements of HR's evidence that the Commission did not accept. Further, the Commission noted HR was occupied in acting as assistant referee. HR accepted in evidence that she did not see CT kick her and that

she identified her after the incident occurred. The Commission were concerned as to the reliability of HR's evidence as to who said and did what.

57. Given the competing features as set out above, the Commission, on the balance of probabilities, found both charges against CT to be not proven by a majority of 2 to 1.

Charge against John Kavanagh

58. The considerations at paragraphs 54 to 56 above were considered pertinent when determining the charge against JK and are not rehearsed herein.

59. In support of HR's identification, the Commission noted that HR knew JK before this fixture; something confirmed by JK himself in his evidence and further that HR turned round to see JK make a further comment.

60. In addition to the aforementioned considerations, the Commission specifically noted the evidence of JK, KB and SW.

61. JK in his oral evidence provided that the remark attributed to him by HR was made but not by him. JK was not able to say who made the comment. The Commission found JK to be an honest witness.

62. JK's evidence was partially corroborated by the evidence of KB and SW. SW provided that she had been with JK for virtually the entire game and did not hear JK make the comments as alleged.

63. Given the aforementioned evidence, the Commission found that the comment as described by HR was made. But given the corroborative evidence of KB and SW, the Commission (by majority) were not satisfied to the requisite standard that it was JK who made the comment.

64. The Commission, on the balance of probabilities, found the charge against JK to be not proven by a majority of 2 to 1.

Charge against Jason Knibbs

65.The considerations at paragraphs 54 to 56 above were considered pertinent when determining the charge against JKn and are not rehearsed herein.

66.HR provided in her evidence that JKn told her to “*fuck off*”.

67.JKn in his statement denies using any offensive or abusive language towards the assistant referee, although JKn accepts questioning HR as to why she was coaching whilst running the line and entering the field of play.

68.The Commission considered the lack of corroboration and the concerns outlined in relation reliability to be pertinent as this was one comment made whilst HR was occupied conducting her duties as an assistant referee.

69.The Commission, on the balance of probabilities, found the charge against JKn to be not proven.

Charge against Neil Crosgrey

70.By HR’s own admission, HR identified NC by locating him on the AFCL website.

71.In AW’s evidence, he stated that he believed that HR had been mistaken in identifying NC as the person who directed the remarks towards her.

72.Further, the Commission considered the letter dated 28 February 2016 compelling evidence providing that NC was no longer affiliated to the club.

73.In light of the above, the Commission found, on the balance of probabilities, the charge against NC to be not proven.

Charge against Ian Carr

74.The Commission found HR’s evidence to be clear and credible in respect of the abusive language directed at her by IC.

75. HR's evidence was clear that she knew IC before this fixture and thus was able to identify him at the time. Furthermore, it was HR's evidence that IC had made a number of comments and that HR had responded to those comments to which IC responded thereafter. The Commission considered this important when assessing the reliability of HR's evidence of identification.

76. In IC's statement, he denied using such language and denied that anyone else in the AFCL dugout had aimed any such remark at HR.

77. The Commission preferred the evidence of HR. The Commission found her both credible and reliable in this regard.

78. The Commission therefore found, on the balance of probabilities, the charge against IC proven.

Charge against Chloe Park

79. It was an uncontested fact that CP had been involved in a confrontation with AC at the conclusion of the fixture. The evidence from CP was that AC made a comment to her about her earlier tackle being fair. It is clear that this latter verbal exchange then escalated, although the evidence differed as to precisely what took place.

80. It was CP's evidence that after this comment was made that AC thereafter shoved CP. CP stated that she responded by shoving AC back. It was an uncontested fact that CP was the goalkeeper for AFCL.

81. The evidence from HR was that she saw the goalkeeper of AFCL throw a punch towards AC. HR provided that this punch struck AC on the cheek. AW, the statement of Ms Sammy Hargrave and the statement of AC corroborated this evidence.

82. The Commission found AW's oral evidence particularly impressive. AW gave detailed and clear evidence as to the identification of CP. AW was clear that it was the goalkeeper of AFCL who had thrown the punch and that he was easily able to identify her given that she was wearing different clothing to other players, namely a green goalkeeper jersey. AW also gave a detailed and clear account as to how the punch was thrown.

83. The Commission preferred the evidence given by HR and particularly AW in this regard. The Commission found the evidence of HR and AW to be clear and credible in respect of the alleged punch by CP on AC.

84. Given the above, the Commission found that the charge against CP of improper conduct (including violent conduct and threatening and/or abusive language/behaviour) proven.

Charges against Alan Wells

85. On AW's own evidence, AW admitted using foul and abusive language.

86. As to whether AW head-butted IC or attempted to head-butt IC, the Commission found most pertinent the evidence of JK. JK stated in his evidence that there was a "meeting of heads" but no attempted head-butt. JK stated that he was standing beside IC at the time of the incident.

87. In AW's evidence, AW denied head butting or attempting to head-butt IC. AW accepted that he was "face to face" with IC but there was no movement of his head.

88. The Commission considered that JK's evidence largely corroborated AW's version of events. The Commission were satisfied that there was no head-butt or attempted head-butt.

89. However, given that AW had accepted that he had used foul and abusive language and that he came "face to face" with IC, the Commission were satisfied on the balance of probabilities that the charge against him was proven on that basis only.

Charge against Amy Cowen

90. The evidence against AC was extensive and corroborated by a number of witnesses.

91. On her own evidence, AC accepts making a hand gesture signalling the score line to the opposition spectators. The Commission also found pertinent the Facebook Messages exhibited by AC in her statement. In those messages to an AFCL player, AC states that "I didn't mean to upset you or anything, I was getting stick from all of the parents so it was a retaliation". AC further provides that "I shouldn't retaliate at all, and I completely understand why you'd be pissed off, I was out of order, sorry".

92. Given the extensive corroborative evidence before the Commission, and AC's exhibited messages, the Commission found the charge against her proven.

Charge against AFC Leicester

93. In the case of the E20 Charge, the primary issue was whether the conduct of the players, and/or spectators of AFCL amounted to AFCL failing to ensure that the players and/or officials and/or spectators had conducted themselves in an orderly fashion.

94. Given the above findings, the Commission were satisfied that offensive, insulting and abusive language was used during the second half of the fixture and that such language derived from players and officials of AFCL. Further, that players of AFCL were involved in the incident that occurred after the game had concluded.

95. The Commission went on to consider whether any comment was aggravated by gender. The issue concerned the allegation that a member of AFCL had stated, "she's a fucking bitch, what you going to do about her".

96. The Commission were concerned that there did not appear to be any other corroborating evidence of this comment occurring aside from HR's statement. The comment is alleged to have been said around the dug out area where players, club officials and parents were congregated yet there is no mention of this incident in any other statement before the Commission. The Commission were not satisfied that the comment aggravated by reference to gender was made.

97. The Commission heard extensive evidence from a number of witnesses, including KB, SW and AW amongst others, as to the lack of involvement of spectators during the commotion after the game. The Commission considered this evidence credible and corroborative. The Commission did not find that spectators of AFCL were involved the aforementioned incident.

98. The Commission therefore found the charge proven against AFCL on the aforementioned basis.

Charge against Oadby & Wigston

99. The primary issue was whether the conduct of the players, and/or spectators of O&W amounted to O&W failing to ensure that the players and/or officials and/or spectators had conducted themselves in an orderly fashion.

100. Given the above findings in relation AC & AW, the Commission were satisfied that O&W failed to ensure that players and an official conducted themselves in an orderly fashion after the above-mentioned fixture was concluded.

101. The Commission therefore found the charge proven against O&W.

SANCTION

102. Following notification of the above decisions, the Commission invited written mitigation from each of the Participants before considering the question of sanction. Responses were received from O&W of whom enclosed statements from AW and AC and also character references for AW. A response was also received from AFCL from Mr Ralph Cockburn.

103. In considering appropriate sanctions, the Commission had before it the FA Sanctions Guidelines.

Ian Carr

104. The Commission considered that the email sent by AFCL did not contain any mitigation in relation to IC. Accordingly, the Commission found neither any mitigating nor any aggravating factors within that document.

105. The Commission considered that the language used and the number of abusive comments made was an aggravating factor, while IC's previous good record provided mitigation.

106. After having considered the seriousness of the incident, the mitigating factors and the guidelines under FA Rule E3, the Commission imposed the following sanction:

- 1) Two match ground ban;

- 2) Financial penalty of £30;
- 3) Five Disciplinary Points to be recorded.
- 4) No order as to costs.

Chloe Park

107. CP did not provide any mitigation to the Commission, nor did the Commission consider that the email sent on behalf of AFCL contained any mitigatory factors.

108. The Commission found the following to be mitigating factors: CP's previous good record, the fact this concerned a single blow and that AC only incurred a minor injury.

109. The Commission found the following aggravating factors to be present: CP struck AC with a punch, whilst only causing minor injury, it might have been more serious, given that it was a blow to the head. The Commission further noted that there was an element of provocation.

110. After having considered the seriousness of the incident, the mitigating factor and the Guidelines under FA Rule E3, the Commission imposed the following sanction:

- 1) Three match ban;
- 2) Financial penalty of £60.
- 3) Five Disciplinary Points to be recorded.
- 4) No order as to costs.

AFC Leicester

111. The Commission did not consider that the email sent by AFCL contained any mitigatory factors. Accordingly, the Commission found neither any mitigating nor any aggravating factors within that document.

112. The Commission noted that AFCL had no previous club charges.

113. The Commission considered the facts we found as proved, the club's record, and guideline sanctions. The repeated abusive comments by the AFCL dugout and the incident of violence were considered aggravating factors.

114. The Commission therefore imposed:

- 1) Financial Penalty of £75;
- 2) Five Disciplinary Points;
- 3) No order as to costs.

Alan Wells

115. AW provided a statement in mitigation to the Commission. The Commission particularly noted AW's previous good record. AW also provided four further statements, which provided evidence as to his character. The Commission found these statements impressive and accepted that the aforementioned behaviour on the day of the fixture was out of character.

116. As to aggravating factors, the Commission noted the words used by AW as offensive. The Commission considered the facts we found as proved in relation to AW and the guideline sanctions.

117. After having considered the seriousness of the incident, the mitigating factors and the Guidelines under FA Rule E3, the Commission imposed the following sanction:

- 1) Financial penalty of £20;
- 2) Five Disciplinary Points;
- 3) No order as to costs.

Amy Cowen

118. AC provided a statement in mitigation to the Commission. The Commission noted that AC accepted using foul and abusive language and accepted her actions amounted to a poor way of behaving in her mitigation statement. The Commission further noted that AC's previous good record.

119. As to aggravating factors, the Commission considered that her actions instigated further incident after the fixture had finished.

120. After having considered the seriousness of the incident, the mitigating factors and the Guidelines under FA Rule E3, the Commission imposed the following sanction:

- 1) One match ban;
- 2) Financial penalty of £20;
- 3) Five Disciplinary Points;
- 4) No order as to costs.

Oadby & Wigston

121. The Commission noted the statements advanced by O&W. The Commission specifically noted the mitigation contained within the statement of Ms Lesley Batchelor namely that the club is a Community Charter Standard Club and ensure that the welfare and respect recommendations are available for all participants to see. The Commission also took into consideration the club's previous good record.

122. The Commission considered the facts we found as proved, the club's record, and guideline sanctions.

123. The Commission therefore imposed:

- 1) Financial Penalty of £30.
- 2) Five Disciplinary Points;
- 3) No order as to costs.

124. There is a right of appeal in accordance with FA Regulations.

Mr Davide Corbino (Chairman)

Ms Dawn Wapples

Mr Rasheed Cadeer JP

4th November 2016