

Football Association Disciplinary Commission

(‘The ‘Commission’)

In the matter of Steven Seear (Case number 8707378M)

Disciplinary Commission Decision

1. The following members were appointed to the Commission: Ms. Stacy Payne (Independent Chairperson), Mr. Anthony Rock (Commission Member) and Mr. Maurice Armstrong (Independent Member).
2. Mr. Greg Hart of the Essex FA acted as Secretary to the Commission.
3. Mr. Steven Seear was charged with a breach of F.A. Rule E3 Improper Conduct in respect of a ‘Posts’ published on his Twitter account. It was further alleged that this breach of Rule E3(1) was an “aggravated breach” as defined in Rule E3(2) as it includes a reference to gender.
4. The relevant sections of FA Rule E3 (p. 112 of the FA Handbook Season 2016-2017) states:
 - “(1) A participant shall at all times act in the best interest 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.*
 - (2) A breach of Rule E3(1) is an “Aggravated Breach” where it includes a reference, whether express or implied, to any one or more of the following :- ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.”*
5. This case was brought by Lancashire County F.A. following a complaint made regarding the following ‘Posts’ published on Mr. Steven Seear’s Twitter account:

"@edhaygarth @ WD_CFC all tampons off the pitch immediately. Kind regards"

"@WD_CFC you forgot to tag @ Tampax".

6. Mr. Steven Seear responded to the charge and pleaded guilty; requesting that the case be dealt with in his absence. The Commission noted an email received from Donna Artis on behalf of Mr/ Steven Seear's team as well as a trail of emails from Mr. Steven Seear. The Commission noted Mr Steven Seear's initial response *"the comment was made in jest; nothing was meant by it. Tampon isn't a swear word nor is it sexist as tampons can be used by both men and women. I apologise for the inconvenience caused"*.
7. Further emails from Mr. Steven Seear acknowledged the offence caused by his posts and he apologised for the same. Mr. Steven Seear insisted he did not intend to cause offence.
8. Given the Charges had been admitted the Commission proceeded to determine sanction and consulted the 2016-2017 Sanction Guidelines together with the Twitter 'Posts', the above mentioned written submissions and Mr. Steven Seear's record. It was noted there were no relevant proven prior charges.
9. The Commission were aware for an offence of this kind committed via Social Media, and so not face to face, the Commission had the discretion, pursuant to FA Rule E3(4)(iii), to impose a sanction less than the mandatory five match ban. The Commission took into account more than one inappropriate comment was made and such was aggravated by referring to gender. Mr. Steven Seear's Record and the absence of similar offences was also considered and deemed to be a mitigating factor. On this occasion the Commission felt such discretion ought to be exercised.
10. Taking into account the above the Commission unanimously determined the appropriate sanction to be a three match ban together with a £40 fine and three penalty points. Further, Mr. Steven Seear is to attend an FA education programme

within four months of original notification of this decision; details of which will be provided by The FA. Failure to complete the mandatory FA Education programme within the relevant timeframe shall initiate the automatic suspension of Mr. Steven Seear from all football and football related activity until such time as the mandatory FA Education programme has been successfully completed.

11. This decision is subject to the right of appeal in accordance with the relevant regulations within The FA Handbook.

Stacy Payne

Chairperson

31st October 2016