

DISCIPLINARY COMMISSION

Sitting on behalf of the Bedfordshire Football Association

IN THE MATTER OF A PERSONAL HEARING OF ADAM HUGHES OF AFC DUNSTABLE

DECISION & WRITTEN REASONS OF THE DISCIPLINARY COMMISSION

BACKGROUND & HEARING

1. The Disciplinary Commission (“the Commission”) convened on Tuesday, 4th December 2018 by way of a personal hearing. The Commission adjudicated in respect of charges brought by Bedfordshire FA against Adam Hughes as a result of alleged misconduct in a match between AFC Dunstable and Buckingham Athletic played on 3rd November 2018.

THE COMMISSION

2. The members appointed to the Commission were:

- i) Peter Brown (Council Member of Bedfordshire FA)
- ii) Christopher Davison (Council Member of Bedfordshire FA)
- iii) Michael Cardoso (Independent Member)

3. Stewart Jeeves (Staff Member of Bedfordshire FA) assisted the Commission as Secretary.

THE CHARGES

4. Bedfordshire FA charged Adam Hughes as follows:

You are hereby charged with a breach of FA Rule E3 in respect of the above fixture. It is alleged that during the above mentioned fixture, you pushed your chest into the Match Official’s chest, contrary to Rule E3 (1).

THE REPLY

5. Adam Hughes denied the charge and requested the case be dealt with by means of a Personal Hearing.

THE BURDEN AND STANDARD OF PROOF

6. In this instance the burden of proof is on the County. The applicable standard of proof is the civil standard of the 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. Therefore, if the evidence is such that the Commission can say ‘we find it more probable than not’ the burden is discharged, but if the probabilities are equal it is not.

THE EVIDENCE

7. The following is a summary of the principal evidence and submissions provided to the Commission. It does not purport to contain reference to all the evidence and submissions; however, the absence in these reasons of any particular point, evidence or submission, should not imply that the Commission did not take such point, evidence or submission into consideration when the Members determined the matter. For the avoidance of doubt, the Commission has carefully considered all the evidence and materials furnished with regard to this case.

8. The documents before the Commission comprised:

- i) a report from the match referee (Under 18) dated 3.11.2018
- ii) an email from the referee dated 7.11.2018 giving clarification of the incident in his report
- iii) a statement from Adam Hughes dated 7.11.2018.

9. The report from the referee alleged that Adam Hughes “came running up to me in an aggressive manner squaring up to me and pushing his chest violently on mine”.

THE VERBAL EVIDENCE

10. The referee appeared before the Commission by video link from where he was accompanied by his appropriate adult.

The referee stated that after accepting an offside flag from his club assistant referee he disallowed a goal. After blowing his whistle he was confronted by Adam Hughes who squared up to him and pushed his chest into his.

The referee stated he did not feel this was a violent push but did make him step back.

The referee accepted he was wrong in showing a yellow card and then dismissing Adam Hughes from the field of play with a red card, as it was his second yellow card.

11. Adam Hughes asked the referee (through the Chairman of the Commission) if his second yellow card was in response to him telling the referee to “Fuck Off”.

The referee stated he had been wrong in issuing a second yellow card.

Adam Hughes asked the referee (through the Chairman of the Commission) if he felt the contact was a deliberate act why was he not shown a red card.

The referee stated he had been wrong in not showing an immediate red card.

Adam Hughes asked the referee (through the Chairman of the Commission) did he not see the contact as an accident at the time.

The referee stated the contact was a deliberate act.

THE DEFENCE

12. Adam Hughes stated that he was angry at the offside decision, and positioned himself in front of the referee to prevent him approaching the linesman. It was then that their chests made contact.

FINDINGS

13. The Commission considered the evidence very carefully, being mindful of the burden of proof.

It was clear that Adam Hughes’ chest had made contact with the referee.

It was apparent the Commission needed to consider:

- i) the nature of the offence
- ii) the seriousness of the offence

The Commission were unanimous that the charge preferred against Adam Hughes was proved.

PREVIOUS DISCIPLINARY RECORD

14. The Secretary confirmed that Adam Hughes had no previous misconduct offences in the past five years on his record.

SANCTION

15. The Commission carefully considered all the relevant FA Rules and the Sanction Guidelines issued by The FA.

16. The Commission were satisfied that Adam Hughes had attempted to impede the progress of the referee as he went to speak to his assistant and in doing this had made contact with the referee’s chest. The commission were satisfied that the contact was not violent and decided to impose the following sanction:

Adam Hughes be suspended from all football activity for a period of 84 days and Fined £100.00. It was noted that Adam Hughes had been under suspension since the date of the offence and this would count as time served. Five (5) disciplinary points to be recorded against AFC Dunstable.

APPEAL

17. This decision is subject to appeal in accordance with the relevant FA Appeals procedures.

Peter Brown (Chairman)
Christopher Davison
Michael Cardoso