

## 11 - DISCIPLINARY REGULATIONS

### A - GENERAL PROVISIONS

---

- 1 These General Provisions are split into two parts:
  - 1.1 The provisions in Section One shall apply to Inquiries, Commissions of Inquiry, Regulatory Commissions, Disciplinary Commissions, Appeal Boards and Safeguarding Review Panels.
  - 1.2 The provisions in Section Two shall apply to Regulatory Commissions and, where stated in paragraph 27, Disciplinary Commissions.

### SECTION ONE: ALL PANELS

#### SCOPE

---

- 2 This Section One shall apply to Inquiries, Commissions of Inquiry, Regulatory Commissions, Disciplinary Commissions, Appeal Boards and Safeguarding Review Panels.
- 3 In relation to proceedings before a Disciplinary Commission, references in this Section One to The Association shall be taken to mean the relevant Affiliated Association.

#### GENERAL

---

- 4 The bodies subject to these General Provisions are not courts of law and are disciplinary, rather than arbitral, bodies. In the interests of achieving a just and fair result, procedural and technical considerations must take second place to the paramount object of being just and fair to all parties.
- 5 All parties involved in proceedings subject to these General Provisions shall act in a spirit of co-operation to ensure such proceedings are conducted expeditiously, fairly and appropriately, having regard to their sporting context.
- 6 The bodies subject to these General Provisions shall have the power to regulate their own procedure.
- 7 Without limitation to paragraph 6 above, any breach of procedure by The Association, or a failure by The Association to follow any direction given (including any time limit), shall not invalidate the proceedings or its outcome unless the breach is such as to seriously and irredeemably prejudice the position of the Participant Charged.
- 8 Save where otherwise stated, the applicable standard of proof shall be the civil standard of the balance of probabilities.

#### EVIDENCE

---

- 9 A panel to which these General Provisions apply:
  - 9.1 shall not be obliged to follow the strict rules of evidence;
  - 9.2 shall not be bound by any enactment or rule of law relating to the admissibility of evidence in proceedings before a court of law;
  - 9.3 may admit such evidence as it thinks fit and accord such evidence such weight as it thinks appropriate in all the circumstances; and
  - 9.4 may draw such inference from the failure of a witness (including the Participant Charged) to give evidence or answer a question as it considers appropriate.

## 11 - DISCIPLINARY REGULATIONS

### REPRESENTATION

---

- 10 A Participant Charged attending a personal hearing, or an individual attending a Safeguarding Review Panel, may be represented by an or individuals (including a legal representative), provided that they notify The Association both of the fact that they are to be represented and of the identity of the representatives by the date on which the Reply is served. The representatives may speak on behalf of the Participant Charged / the individual.
- 11 An individual acting as a representative for a Participant Charged shall not be allowed to give evidence.
- 12 The Association may nominate an individual or individuals to represent it at a personal hearing.

### CONSOLIDATION OF PROCEEDINGS

---

- 13 Where the subject matter of or facts relating to a Charge or Charges against one or more Participant(s) is sufficiently linked (including, but not limited to, where offences are alleged to have been committed in the same Match or where there is common evidence of The Association or the defence) and where appropriate for the timely and efficient disposal of the proceedings, The Association and/or the relevant panel shall have the power to consolidate proceedings so that they are conducted together and the Charges may be determined at a joint hearing. In respect of such matters:
  - 13.1 evidence adduced by or on behalf of a Participant shall be capable of constituting evidence against another Participant (the relevant panel shall give appropriate weight to such evidence);
  - 13.2 Participants or their representatives shall be entitled to cross-examine other Participants and their witnesses; and
  - 13.3 the relevant panel may hear evidence in any order and shall have complete discretion to take matters out of order for the timely, efficient and appropriate disposal of the proceedings.

### CONFIDENTIALITY / PUBLICATION

---

- 14 The proceedings of a Commission of Inquiry, a Regulatory Commission, a Disciplinary Commission, Appeal Board and Safeguarding Review Panel shall take place in private.
- 15 All oral or written representations, submissions, evidence and documents created in the course of any proceedings shall be subject to qualified privilege.
- 16 Subject to paragraphs 17 to 19 below, all oral or written representations, submissions, evidence and documents created in the course of any proceedings are confidential between The Association and the individual or body concerned.
- 17 The Association shall have the power to publish in the public press, on a web site or in any other manner considered appropriate:
  - 17.1 the outcome of any proceedings or inquiry (irrespective of whether a Charge is issued in respect of that inquiry);
  - 17.2 reports of any hearing, order, requirement, instruction, decision, proceedings, acts, resolution, finding and penalty; or
  - 17.3 any representations, submissions, evidence and documents created in the course of any proceedings or inquiry (including but not limited to the written reasons of a Regulatory Commission and Appeal Board) whether or not this reflects on the character or conduct of a Participant.
- 18 Each Participant will take part in any Commission of Inquiry, Regulatory Commission, Disciplinary Commission, Appeal Board, or Safeguarding Review Panel as required to ensure the appropriate discharge of these Regulations, and acknowledges that reports of decisions will be published.

## 11 - DISCIPLINARY REGULATIONS

- 19 The Association shall have the right to use and rely upon any representations, submissions, evidence and documents that are provided to it during the course of any inquiry pursuant to Rule F (or otherwise) and/or are created or otherwise generated during the proceedings of a panel to which these General Provisions apply for the purpose of carrying out its regulatory functions and monitoring and implementing compliance with its Rules and Regulations (including, but not limited to, taking action against any Participant under Rule E).

### SERVICE OF DOCUMENTS

---

- 20 A document may be served by:
- 20.1 giving it to the person to whom it is addressed;
  - 20.2 leaving it at, or sending it by first class post to, the last known address of the addressee or, in the case of an individual, the Club with which they are associated; or
  - 20.3 sending it by e-mail or by fax to the last known email address or fax number of the addressee or, in the case of an individual, the Club with which they are associated.

### FEES

---

- 21 Where a Participant lodges a Notice of Appeal in respect of:
- 21.1 a decision of a Regulatory Commission, they must pay an appeal fee of £100;
  - 21.2 a decision of an Affiliated Association, they must pay an appeal fee of £50;
  - 21.3 any other decisions of The Association subject to appeal, or a decision of Competition, they must pay an appeal fee as follows:

RELEVANT COMPETITION	FEE
Premier League, EFL Championship, EFL League One, EFL League Two, National League and WSL	£500
Steps 2 to 4 of the National League System and WCH	£250
Steps 5 to 6 of the National League System	£100
Any other Competition (including those outside the National League System)	£50

- 22 In respect of other matters where fees are payable, the relevant fees shall be as prescribed in the relevant regulations.

### OTHER PROCEEDINGS

---

- 23 The fact that a Participant is liable to face or has pending any other criminal, civil, disciplinary or regulatory proceedings (whether public or private in nature) in relation to the same matter shall not prevent or fetter The Association commencing, conducting and/or concluding proceedings under the Rules.
- 24 The result of any proceedings referred to in paragraph 23 (save for an acquittal) and findings upon which such result is based shall be presumed to be correct and true unless it is shown, by clear and convincing evidence, that this is not the case. An acquittal or equivalent result in civil, disciplinary or regulatory proceedings (and any finding upon which such result is based) shall only be presumed to be correct if the applicable standard of proof in those proceedings was the same or lower than the applicable standard of proof in the proceedings brought under the Rules.

## 11 - DISCIPLINARY REGULATIONS

### EXCLUSION OF LIABILITY

---

- 25 Panel members to which these General Provisions apply and any executive staff member of The Association involved in any proceedings subject to these General Provisions, shall not be held liable for any acts or omissions in relation to any such proceedings.

## SECTION TWO: REGULATORY COMMISSIONS

### SCOPE

---

- 26 This Section Two sets out provisions applicable to matters of Misconduct proceeding before Regulatory Commissions. Further detail, to include the timetable to be followed in respect of such matters, is found in:
- 26.1 Part B: Non-Fast Track Regulations (where the matter proceeds according to the ordinary timetable);
  - 26.2 Part E: Fast Track Regulations (where the matter proceeds according to an expedited timetable).
- As such, the procedures set out at Part B: Non-Fast Track Regulations and Part E: Fast Track Regulations should be read in conjunction with these provisions.
- 27 In addition, the following paragraphs of this Section Two shall apply to matters of Misconduct proceeding before Disciplinary Commissions: paragraphs 28, 31, 39 to 43, 47 and 48 and 50 to 52.1 and Appendix 1 to Part A: Section One: General Provisions. The content of those paragraphs shall be construed accordingly (e.g. references to The Association shall be taken to mean the relevant Affiliated Association).

### THE COLLECTION OF EVIDENCE

---

- 28 In accordance with Rule F, all Participants must take all reasonable measures to assist The Association in the collection of evidence. Where The Association requests the production of evidence from any Participant, that Participant shall (subject to considerations of legal professional privilege) be under an obligation to provide it.
- 29 Where on-field offences are concerned, The Association may request that a Club provides or procures the delivery of video evidence to assist it in investigating possible Misconduct. Clubs must provide such video evidence to The Association as soon as reasonably practicable and in any event no later than 12 noon on the next Business Day following The Association's request (or a later date if stipulated by The Association). Failure to provide such evidence within this deadline may result in The Association issuing a Charge against the Club.

### CHARGE

---

- 30 The decision that facts or matters may give rise to Misconduct and that a Charge be brought will be made by the Chief Regulatory Officer (or their nominee) on behalf of The Association.
- 31 The Chief Regulatory Officer (or their nominee) may issue a written warning to a Participant where there are facts or matters which may give rise to Misconduct but where the Chief Regulatory Officer (or their nominee) determines in their sole discretion not to bring a Charge.
- 32 Where any facts or matters give rise to alleged Misconduct by a Participant, The Association will serve on the Participant a Charge which shall:
- 32.1 state briefly the nature of the alleged Misconduct;
  - 32.2 identify the provision(s) alleged to have been breached; and
  - 32.3 enclose copies of documents or other material referred to in the Charge.

## 11 - DISCIPLINARY REGULATIONS

- 33 The Charge may include a request for the provision of a summary of the current terms and conditions of employment of a Participant.
- 34 A copy of the Charge shall be forwarded to the Judicial Panel Chairman who shall appoint a Regulatory Commission in accordance with, and subject to, the Terms of Reference for the Composition and Operation of the Judicial Panel.

### TIME LIMITS AND DIRECTIONS

---

#### General

- 35 The standard directions for a Regulatory Commission processing a matter under these Regulations shall be as set out in Part B: Non-Fast Track Regulations and Part E: Fast Track Regulations.
- 36 In complex cases the standard directions may, at the discretion of the Regulatory Commission, be the subject of a directions hearing which may be conducted in accordance with paragraph 26 of Part B: Non-Fast Track Regulations.
- 37 **Timings and Directions**
  - 37.1 Upon an application by The Association or a Participant, the Judicial Panel Chairman (or their nominee) may amend, suspend, reduce or dispense with the relevant time limits set out in Part B: Non-Fast Track Regulations and Part E: Fast Track Regulations provided that the Judicial Panel Chairman (or their nominee) is satisfied that it would be impractical or unfair not to do so.
  - 37.2 Where a Regulatory Commission has not yet been convened, the Judicial Panel Chairman (or their nominee) may make an order in respect of (i) time limits, (ii) hearing dates or (iii) the timetable in respect of disclosure.
- 38 Examples of circumstances in which the processing of a Charge would be impractical or unfair within the time limits set out in Part B: Non-Fast Track Regulations and Part E: Fast Track Regulations are where:
  - 38.1 there is a pending police investigation; or
  - 38.2 the seriousness or complexity of the matter necessitates a longer period of investigation; or
  - 38.3 substantial evidence needs to be obtained from non-Participants.

### REGULATORY COMMISSION DELIBERATIONS

---

- 39 Deliberations of a Regulatory Commission shall take place in private.
- 40 The decision of the Regulatory Commission shall be determined by majority. Each member of the Regulatory Commission shall have one vote, save that the Chairman of the Regulatory Commission shall have a second and casting vote in the event of a deadlock.

### PENALTIES AND ORDERS

---

#### General

- 41 Save where expressly stated otherwise, a Regulatory Commission shall have the power to impose any one or more of the following penalties or orders on the Participant Charged:
  - 41.1 a reprimand and/or warning as to future conduct;
  - 41.2 a fine;
  - 41.3 suspension from all or any specified football activity from a date that the Regulatory Commission shall order, permanently or for a stated period or number of Matches;

## 11 - DISCIPLINARY REGULATIONS

- 41.4 the closure of a ground permanently or for a stated period;
  - 41.5 the playing of a Match or Matches without spectators being present, and/or at a specific ground;
  - 41.6 any order which may be made under the rules and regulations of a Competition in which the Participant Charged participates or is associated, which shall be deemed to include the deduction of points and removal from a Competition at any stage of any playing season;
  - 41.7 expulsion from a Competition;
  - 41.8 expulsion from membership of The Association or an Affiliated Association;
  - 41.9 such further or other penalty or order as it considers appropriate.
- 42 In imposing penalties, a Regulatory Commission must apply any:
- 42.1 applicable standard sanctions as may be communicated by The Association from time to time. A Regulatory Commission may only depart from such standard sanctions where it deems it appropriate having regard to the facts of an individual case (for example, where a particular act of Misconduct is sufficiently serious that the guideline sanction would not constitute a sufficient penalty for the Misconduct that has taken place);
  - 42.2 mitigating and/or aggravating factors, to include but not limited to the disciplinary record of the Participant and other factors that may be communicated by The Association from time to time.

### Suspended Penalty

- 43 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.
- 44 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 the 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.
- 45 Where a Participant has committed a breach of Rules E5, E8 or E14, the Regulatory Commission must consider suspending a portion of the penalty imposed if:
- 45.1 that Participant has provided assistance and/or information to any Competition, The Association, UEFA, FIFA, other national football association, a law enforcement agency or professional disciplinary body; and
  - 45.2 the assistance and/or information provided results in the discovery or establishment of any criminal offence or the breach of disciplinary rules by another person relating to betting or integrity (not including anti-doping, in respect of which the Anti-Doping Regulations shall apply) in football or sport generally.
- 46 Where the Regulatory Commission, in exercising its discretion under paragraph 45, considers it to be appropriate to suspend a portion of the penalty, the extent to which the penalty may be suspended will be based on the significance of the assistance provided by the Participant to the effort to eliminate corruption from sport.

## 11 - DISCIPLINARY REGULATIONS

### Aggravated Breaches (Rule E3.2)

- 47 Where an Aggravated Breach is found proven, a Regulatory Commission shall apply The Association's sanction guidelines for Aggravated Breaches set out at Appendix 1 to Part A: Section One: General Provisions.
- 48 Where a Regulatory Commission sanctions a Club in accordance with Rule E3.4, it may impose any sanction it considers appropriate, taking into account any aggravating or mitigating factors present.

### Drug Rehabilitation and Counselling

- 49 Where a Participant has breached the provisions of the Anti-Doping Regulations or the Social Drugs Regulations, a Regulatory Commission may order a compulsory period of target testing, rehabilitation and counselling, and attach such conditions as it considers appropriate.

### Compensation Orders

- 50 The Regulatory Commission may, where it considers it appropriate, order the Participant Charged to pay compensation to another Participant (the "**Compensation Claimant**"), instead of or in addition to any penalty or other order. Such an order may be for such amount as the Regulatory Commission considers appropriate.
- 51 The Regulatory Commission may order compensation only where:
- 51.1 it receives, in advance of its determination as to whether a Charge has been proven, a written claim by or on behalf of the Compensation Claimant which sets out the amount claimed and detailed reasons for the claim;
  - 51.2 it is satisfied that the Compensation Claimant has suffered loss as a consequence of the Misconduct of the Participant Charged; and
  - 51.3 the Participant Charged has had an opportunity both of seeing the claim in advance of an order being made and of making submissions to the Regulatory Commission in relation to it.

### COSTS ORDERS

---

- 52 Save where otherwise provided, any costs incurred:
- 52.1 in bringing or defending a Charge will be borne by the party incurring the costs; and
  - 52.2 by a Regulatory Commission, which are considered by the Chairman of the Regulatory Commission to be appropriate, may be ordered to be paid in full or in part by either party (such costs may include, but are not limited to, the costs of the Regulatory Commission and related expenses).
- 53 The applicable deadlines for any appeal against only the quantum of costs shall be those set out in paragraph 5 of Part C: Appeals – Non-Fast Track. Any such appeal shall be heard and determined by a single person appointed by Sport Resolutions (UK) (or similar independent body as determined by The Association from time to time). That person shall decide all matters of procedure for how such an appeal will be conducted.
- 54 A Notice of Appeal against a decision of a Regulatory Commission shall be deemed not to have been lodged unless either:
- 54.1 all financial orders, including costs orders, relating to the Participant in question have been paid in full; or
  - 54.2 the Chairman of the Regulatory Commission has made an order to set aside the relevant financial orders pending the outcome of the Appeal.
- 55 In the event of an appeal being lodged, where applicable payments of costs made will be held in escrow by The Association.

## 11 - DISCIPLINARY REGULATIONS

### COMPLIANCE WITH PENALTIES AND ORDERS

---

- 56 Unless the Regulatory Commission determines otherwise, a penalty or order shall come into effect immediately at the date of the notification of the decision.
- 57 A Regulatory Commission may issue such further order, requirement or instruction as it considers appropriate for the purpose of giving effect to its decision.
- 58 Where a Regulatory Commission is satisfied that a Participant Charged has failed to observe or comply with a penalty or order imposed by the Regulatory Commission, it shall have the power to order that the Participant Charged be suspended immediately from all or any football activity for such period and on such conditions as it considers appropriate.
- 59 In respect of any appeal made by a Participant Charged against a decision of a Regulatory Commission, the Regulatory Commission shall have the power, upon application and its absolute discretion, to stay the effect of, or compliance by the Participant Charged with, a penalty or order of a Regulatory Commission.

### PAYMENT OF FEES, FINES AND COMPENSATION ORDERS

---

- 60 Payment of any administration fee, fine or compensation shall be made to The Association by such deadline and under such terms as ordered by The Association at the time of the written notification or decision.
- 61 The failure to make payment within the deadline ordered may result in an automatic increase of 25% of the amount due. Failure to pay within a further 35 days from the deadline ordered may result in the automatic suspension of the Participant until such time as payment has been received. Where the Participant is a person, such suspension will be from all football and football activity. Where the Participant is a Club, such suspension will be from playing in any Match or Competition.

### WRITTEN DECISION

---

- 62 The Regulatory Commission shall as soon as practicable send to the Participant Charged and the Chief Regulatory Officer (or their nominee) a written statement of its decision, which shall state:
- 62.1 the Charge(s) considered and whether admitted or denied;
  - 62.2 the decision as to whether Misconduct has been proven or not; and
  - 62.3 any penalty or other order imposed.
- 63 The final, dated, written decision of the Regulatory Commission shall be the conclusive record of the Regulatory Commission's decision. A copy of the written decision shall be forwarded to The Association.

### WRITTEN REASONS

---

- 64 Where the relevant parts of Part B: Non-Fast Track Regulations and Part E: Fast Track Regulations so provide, written reasons may be requested and provided.
- 65 Where written reasons are provided they shall state in writing:
- 65.1 the findings of fact made by the Regulatory Commission;
  - 65.2 the reasons for the Regulatory Commission's decision finding the Charge(s) proven; and
  - 65.3 the reasons for any penalty or order.



## 11 - DISCIPLINARY REGULATIONS

### APPEALS

---

66 The rights of appeal shall be as set out in Part B: Non-Fast Track Regulations or Part E: Fast Track Regulations.

## APPENDIX 1 - STANDARD SANCTIONS AND GUIDELINES FOR AGGRAVATED BREACHES

### PLAYERS, MANAGERS AND TECHNICAL AREA OCCUPANTS

---

#### Sanction Range

A finding of an Aggravated Breach against a Player, Manager or Technical Area Occupant will attract an immediate suspension of between 6 Matches and 12 Matches (“**Sanction Range**”).

A Regulatory Commission shall take all aggravating and mitigating factors into account, including but not limited to those listed in these guidelines when determining the level of sanction within the Sanction Range.

The lowest end of the Sanction Range (i.e. 6 Matches) shall operate as a standard minimum punishment (the “**Standard Minimum**”).

Where a Player is aged 12-15 (inclusive) a Regulatory Commission may suspend any number of Matches on terms and for such period as it considers appropriate provided that a suspension of no less than one Match is served.

A Regulatory Commission may impose an immediate suspension in excess of 12 Matches in circumstances where aggravating factors of significant number or weight are present.

#### Exceptions to the Standard Minimum

A Regulatory Commission may only consider imposing a suspension below the Standard Minimum where the following specific (and exhaustive) circumstances arise such that the Regulatory Commission determines that the Standard Minimum would be excessive:

Where the offence was committed in writing only or via the use of any communication device **and**:

- Where the Regulatory Commission is satisfied that there was no genuine intent on the part of the Participant Charged to be discriminatory or offensive in any way and could not reasonably have known that any such offence would be caused; or
- The age of the Participant at time of the offence (e.g. where the Participant was a minor at the time the offence was committed); or
- The age of the offence (e.g. a social media post made a considerable time ago).

For the avoidance of doubt, the existence of the circumstances above will not necessarily result in a departure from the Standard Minimum. A Regulatory Commission must be satisfied that the unique circumstances and facts of a particular case are of such significance that a departure from the Standard Minimum is justified to avoid an unjust outcome for the Participant Charged. In reaching a decision, the Regulatory Commission must also consider whether or not it is in the best interests of the game in tackling all forms of discrimination to depart from the Standard Minimum. In any event, a Regulatory Commission shall impose a suspension of no less than 3 Matches.

Where a Player is aged 12-15 (inclusive) a Regulatory Commission may suspend any number of Matches on terms and for such period as it considers appropriate provided that a suspension of no less than one Match is served.

## 11 - DISCIPLINARY REGULATIONS

### TIME-BASED SUSPENSIONS

---

A Regulatory Commission may assess that a Match-based suspension is not appropriate due to the specific circumstances of a case; the nature of the role of a Participant, and/or whether they are currently engaged by a Club. A Regulatory Commission should have regard to the Sanction Range as set out in this Appendix as well as the mitigating and aggravating factors when determining sanction. However, a Regulatory Commission shall be entitled to impose an appropriate time-based suspension that is commensurate with the breach, having regard to the specific roles and responsibilities of the Participant.

### EDUCATION

---

Any Participant who is found to have committed an Aggravated Breach shall be made subject to an education programme, the details of which will be provided to the Participant by The Association.

### OTHER PENALTIES

---

A Regulatory Commission may impose any one or more of the other penalties as provided by paragraph 41 of Part A to the Disciplinary Regulations.

### FACTORS TO BE CONSIDERED WHEN DETERMINING SANCTION

---

A Regulatory Commission will have due regard to the circumstances and seriousness of the incident when determining the appropriate sanction and whether (and to what extent) to depart from the Sanction Range or when setting an appropriate time-based suspension. For the avoidance of doubt, any departure from the Sanction Range below the Standard Minimum may only be considered by a Regulatory Commission where the specific (and exhaustive) circumstances listed above arise.

In so doing, the Regulatory Commission shall give consideration to any aggravating and mitigating factors, to include but not limited to:

#### Aggravating factors

- Repeated use of discriminatory language or conduct during commission of the offence or offences.
- Multiple offences over a period of time.
- The public nature of the offence(s) (e.g. the commission of the offence(s) in a public place, via broadcast media or a social media platform (particularly via an account on a social media platform with a high number of followers in relative terms)).
- The profile of the Participant, including where they hold a position of responsibility within their Club or organisation (e.g. Club captain, Manager, Chairman, member of senior management).
- The relative ages of the Participant and the victim(s) at the time of the offence, particularly where the victim was a minor and the Participant was not.
- Failure to co-operate with The Association.
- Previous disciplinary record of the Participant.
- Any attempt to conceal the breach.
- The extent of any premeditation.
- Lack of remorse or insight and/or failure to understand and/or appreciate the severity of the conduct and/or its impact.

## 11 - DISCIPLINARY REGULATIONS

### Mitigating Factors

- Admission at the earliest opportunity where the factual conduct forming the basis for the charge would be capable of being disputed.
- Demonstration of genuine remorse.
- Co-operation with The Association.
- Where it is accepted that the Participant had a legitimate expectation of privacy.
- Inexperience of the Participant by reference to their age or background at the time of the offence.
- In respect of social media posts, the age of the post and the Participant's age at the time of the post. For example, depending on the other circumstances and characteristics of the offence, it may be considered a mitigating factor where the post was made a considerable time ago and/or where it was made at a time when the Participant was a minor.

### SECOND OR FURTHER OFFENCES

---

Second or further offences will be treated with the utmost seriousness.

There will be a presumption that the sanction for a second or further offence will be higher than the top end of the Sanction Range (i.e. 12 Matches), however the Regulatory Commission shall in any event impose an immediate suspension of no fewer than 7 Matches. Where a Regulatory Commission deems it appropriate to issue a time-based suspension it should consider all relevant factors including but not limited to the number and severity of any previous offences when determining sanction. A Regulatory Commission should have regard to the Sanction Range as set out in this Appendix as well as the mitigating and aggravating factors when determining sanction. However, in all cases a Regulatory Commission shall be able to impose any punishment it deems appropriate and proportionate in the circumstances.

Where a Player is aged 12-15 (inclusive) and commits a second or further Aggravated Breach, in determining the suspension to be imposed, a Regulatory Commission shall use as an entry point, an immediate suspension of 11 matches. The Regulatory Commission may depart from the entry point where aggravating or mitigating factors are present but, in any case, must impose an immediate suspension of no fewer than 7 matches.

Regulatory Commissions shall still be entitled to take all aggravating and mitigating factors into account when determining sanction.

### MULTIPLE AGGRAVATED BREACHES

---

Where a Regulatory Commission finds a Participant to have committed two or more Aggravated Breaches on separate occasions which have been considered by a Regulatory Commission during the same proceedings, the Regulatory Commission may impose a Match or time-based suspension depending on what it deems appropriate in the circumstances. A Regulatory Commission should have regard to the Sanction Range as set out in this Appendix as well as the mitigating and aggravating factors when determining sanction. However, a Regulatory Commission shall have the power to impose any sanction which is appropriate and proportionate to the nature of the Aggravated Breaches committed. This includes being able to depart from the Sanction Range particularly in very serious cases to impose a time-based suspension of any duration.

### PLAYERS AGED UNDER 12

---

Where an Aggravated Breach is committed by a Player aged under 12, no disciplinary charge will be brought. In such cases, the Player will be subject to an education programme, the details of which will be provided to the Player by The Association.