

**THE FOOTBALL ASSOCIATION
REGULATORY COMMISSION
DECISION & WRITTEN REASONS**

IN THE MATTER OF DISCIPLINARY PROCEEDINGS BROUGHT AGAINST

BARNSELY FC

**FOOTBALL LEAGUE – DIVISION ONE
OLDHAM ATHLETIC V BARNSELY FC
SATURDAY 21ST NOVEMBER 2015**

Members of the Commission comprised:-

Mr. BARRY W. BRIGHT - CHAIRMAN

Mr. S. TURNER

Mr. G. MABBUTT

Mr. P. McCormack – Judicial Services Manager of The Football Association acted as
Secretary to the Commission

Commission held at 1:30pm on Tuesday 1st December 2015 via video conference

1. By a letter dated the 25th November 2015 BARNSELY FC (“BFC”) was charged with misconduct for a breach of FA RULE E20(a) in that it was alleged that in the 70th minute of the above fixture BFC failed to ensure that its players conducted themselves in an orderly fashion.
 2. The Football Association (“The FA”) designated the matter as a “*Non Standard Case*” as BARNSELY FC had been charged, and noted as proven below in this decision, with a breach of FA RULE E20(a) in the preceding 12 months following a fixture against Scunthorpe United FC on the 31st October 2015 (three weeks previously to the current fixture in question).
 3. In addition to the aforementioned FA charge letter, the members of the Commission had before them:-
 - i. The Extraordinary Incident Report Form of the Match Referee, Mr. G. Salisbury
 - ii. The Extraordinary Incident Report Form of the Match Assessor, Mr. R. Tiffin
 - iii. A Disciplinary Proceedings: Reply Form (NS) from BFC
 - iv. One video clip of the incident submitted by The FA
 4. By way of a response, dated 30th November 2015, BFC completed the “*Disciplinary Proceedings: Reply Form (NS)*” and ADMITTED the charge but did not request to attend before the Commission for a personal hearing. BFC understood that the charge would be dealt with at a paper hearing.
 5. The members of the Commission noted the Extraordinary Incident Report Form of the Match Referee, Mr. G. Salisbury, stated:-

“After a foul tackle by Mr Pearson for Barnsley a number of players from both sides became involved in a melee in the centre of the pitch which mat[sic] require an over view”
 6. The Match Assessor, Mr. R. Tiffin, stated the following in his Extraordinary Incident Report Form:-
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“Following a challenge by A 19 in the 70th minute there was a reaction by both sets of players in the aftermath of the tackle which went on for at least a minute before order was restored as the players failed to control themselves becoming unnecessarily involved in the incident.”

7. The members of the Commission viewed the video clip of the incident several times and were satisfied that it clearly showed what had transpired and supported the views of the Match Referee in regard to a “melee” and the Match Assessor of players failing to control themselves and becoming “unnecessarily involved”.
8. The members of the Commission were then extremely concerned to be informed that this was the sixth occasion over a 5 year period where BFC had charges under FA Rule E20(a) proven against them, namely:-
 - i. 16th April 2011 v Middlesbrough FC – Fined £10,000
 - ii. 10th September 2011 v Leicester City FC - Fined £5,000
 - iii. 10th September 2011v Blackburn Rovers FC (Under-19) – Fined £2,000
 - iv. 20th October 2012 v Huddersfield Town FC – Fined £1,000
 - v. 31st October 2015 v Scunthorpe United FC – Fined £2,500
9. The Commission noted from The FA’s Sanction Guidelines in relation to FA Rule E20 that £2,500 was the entry point for Football League One clubs who admitted the charge and accepted the Standard Penalty. The applicable maximum fine permitted for Non-Standard cases being £25,000 for a single offence.
10. The members of the Commission carefully evaluated all the evidence, relevant rules & regulations, the admitted plea and the previous record of similar misconduct and regarded the seriousness of ongoing proven charges in similar circumstances as entirely unacceptable alongside this mass confrontation. In particular, the Commission considered that this was BFC’s second proven charge in three weeks and further noted the relevant FA Sanction Guidelines document. The Commission unanimously decided the proportionate penalty based on all the facts was to impose the following sanction:-
 - i. Barnsley FC is fined the sum of £6,250
11. This decision is subject to appeal in accordance with the relevant provisions set out in the prevailing FA Rules and Regulations of the Association.

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BARRY W. BRIGHT
CHAIRMAN - 02 DECEMBER 2015