

**In the Matter of the Appeal Board of
The Football Association (the FA)**

BETWEEN

RICHARD EKINS (APPELLANT)

and

LEICESTERSHIRE AND RUTLAND FA (RESPONDENT)

WRITTEN REASONS OF THE APPEAL BOARD

1. These are the written reasons for the decision made by an FA Appeal Board that heard the above-mentioned case by “Teams” video conference on Friday, 8th November 2024.
2. The Appeal Board Members were Christopher Reeves (Chair), John Murphy and Paul Richardson.
3. Conrad Gibbons, Senior Judicial Services Officer of the FA, acted as Secretary to the Appeal Board.
4. The Respondent, on 26th September 2024, charged the Appellant with a breach of FA Rule E3 – Improper Conduct (not including threatening and/or abusive language/behaviour). A Disciplinary Commission, by results letter dated 11th October 2024, found the charge proven and imposed a 3-match suspension, a £30 fine and 9 Club penalty points.
5. The Appeal Board noted that the basis of the charge lay in the allegation that the Appellant in his capacity as manager of Barrow Town U11 Eagles removed his players from the field of play causing the fixture with GNG Juniors U11 Lions (“GNG”) played on 15th September 2024 (“the match”) being abandoned.
6. By Notice of Appeal dated 23rd October 2024, the Club Secretary of Barrow Town FC accepted the finding of the Disciplinary Commission that the charge was proven on the basis of an acknowledgment that the Appellant did remove his players from the pitch during the match but lodged an appeal on behalf of the Appellant on the basis that the Disciplinary Commission had imposed a penalty, award or sanction that was excessive.

7. The Appeal Board noted the representation contained in the notice of appeal that the action of the Appellant had been taken “ . . . from a position of safeguarding his players and protecting the young referee who from her own report was under extreme pressure from the opposition coaches.”
8. The Notice of Appeal requested that the matter be dealt with by the Appeal Board by way of a paper hearing.
9. The Appeal Board carefully considered all the written and video evidence contained within the Appeal Bundle. These written reasons do not purport to contain reference to all the points made, however, the absence of a point or submission in these reasons should not imply that the Appeal Board did not take such point or submission into consideration in determining the matter. For the avoidance of doubt the Appeal Board has carefully considered all written and video evidence in respect of this case.
10. The Appeal Board carefully considered all the statements lodged before the Disciplinary Commission by members and supporters of both teams.

The Appeal Board took particular notice of the statement lodged by the referee and formed the view that her concerns as to the behaviour of the two teams and their supporters were very much more directed to the manager, coach and supporters of GNG than they were to the Appellant and the supporters of Barrow Town. The Appeal Board noted the comment made by the referee in her statement “ . . . in the end the game got abandoned as it was getting out of hand the Barrow manager make (sic) the decision to abandon the game. The Barrow Town manager and coach was very supportive . . . “

The Appeal Board further noted the referee’s concluding remark in her report “ . . . I am not prepared to referee GNG matches in the future.”

11. The Appeal Board noted from the video evidence the occasions when the management team of GNG entered the field of play without authority and in particular noted that they were on the field of play whilst play was continuing at the moment when the Appellant called his players off the pitch which resulted in the match being abandoned with just a minute or two of normal time remaining.

12. The Appeal Board then considered the written reasons of the Disciplinary Commission.

The Appeal Board were concerned at the brevity of the reasons and that there was little reference to those parts of the referee's report that lent emphasis to the behaviour of the management of GNG and the clear indication contained within her report that she found that behaviour so unacceptable that she indicated an unwillingness to referee GNG matches in the future.

13. The Appeal Board whilst upholding the finding of the Disciplinary Commission that the charge was proven and in no way condoning the behaviour of the Appellant in taking the action that he did and causing the game to be abandoned, unanimously upheld the Appellant's appeal that the penalty award or sanction imposed was excessive.

14. The Appeal Board, having considered all the written and video evidence carefully and having considered the written reasons of the Disciplinary Commission, do not place the facts of this case in the high category of the FA Sanction Guidelines but rather in the upper level of the low category and unanimously agreed that the suspension imposed be reduced to a 1-match suspension, that the fine be reduced to £20 and that the penalty points be reduced to 5.

15. In arriving at its decision, the Appeal Board took into account the safeguarding concerns expressed by the Appellant, the age of the players involved and the fact that at the time of the Appellant withdrawing his players from the pitch, the managers of GNG were on the field of play without authority.

16. There is no order to costs and the appeal fee is to be returned.

17. The Appeal Board's decision is final and binding on all parties.

Christopher Reeves – Chair of Appeal Board

John Murphy

Paul Richardson

13 November 2024