

IN THE MATTER OF

A FOOTBALL ASSOCIATION

INDEPENDENT REGULATORY COMMISSION

BETWEEN:

THE FOOTBALL ASSOCIATION

-and-

MR JAMES PULLEN

**WRITTEN REASONS OF THE
INDEPENDENT REGULATORY COMMISSION**

Regulatory Commission: Richard McLean (Chair)
Gareth Farrelly
Andrew Adie

Secretary to the Commission: Michael O'Connor

Date: 24 June 2024

Hearing format: Paper hearing via Microsoft Teams

Introduction

1. These are the written reasons for a decision made by an Independent Regulatory Commission ("the Commission") following a charge brought by the Football Association ("The FA") against James Pullen.
2. In a letter dated 14 May 2024 Mr Pullen was charged with misconduct under FA Rule E1.2 in respect of 867 bets placed on football between 30 March 2018 and 13 March 2024. Specifically, it was alleged that each bet was a separate breach of FA Rule E8. The particulars of the allegations were as follows:

2017/18 Season – Bets placed in breach of FA Rule E8 FA Handbook p120-122

(1) You placed 25 bets on football matches, in breach of FA Rule E8(1)(a)(i), between 20 March 2018 09 May 2018 whilst you were a participant at Ipswich Town FC.

(i) 13 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

(ii) 12 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

2018/19 Season – Bets placed in breach of FA Rule E8 FA Handbook p115-116

(2) You placed 153 bets on football matches, in breach of FA Rule E8(1)(a)(i), between 04 August 2018 and 05 June 2018 whilst you were a participant at Ipswich Town FC.

(iii) 84 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

(iv) 69 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

2019/20 Season – Bets placed in breach of FA Rule E8 FA Handbook p116-117

(3) You placed 248 bets on football matches and/or football competitions, in breach of FA Rule E8.1(a)(i) between 03 August 2019 and 29 July 2020 whilst you were a participant at Ipswich Town FC.

(v) 158 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

(vi) 90 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

2020/2021 Season – Bets placed in breach of FA Rule E8 FA Handbook p120-121

(4) You placed 228 bets on football matches and/or football competitions, in breach of FA Rule E8.1 between 01 August 2020 and 28 June 2021 whilst you were a participant at Ipswich Town FC.

(vii) 121 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

(viii) 107 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

2021/2022 Season – Bets placed in breach of FA Rule E8 FA Handbook p126-127

(4) You placed 87 bets on football matches and/or football competitions, in breach of FA Rule E8.1 between 08 August 2021 and 15 May 2022 whilst you were a participant at Ipswich Town FC.

(ix) 38 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

(x) 49 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

2022/2023 Season – Bets placed in breach of FA Rule E8 FA Handbook p142-144

(4) You placed 77 bets on football matches and/or football competitions, in breach of FA Rule E8.1 between 20 August 2022 and 16 June 2023 whilst you were a participant at Ipswich Town FC.

(xi) 45 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

(xii) 32 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

2023/2024 Season – Bets placed in breach of FA Rule E8 FA Handbook p144-145

(4) You placed 49 bets on football matches and/or football competitions, in breach of FA Rule E8.1 between 12 August 2023 and 13 March 2024 whilst you were a participant at Ipswich Town FC.

(xiii) 14 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition.

(xiv) 35 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.

3. By reply form dated 18 May 2024 Mr Pullen admitted the charges and requested a paper hearing.

The Rules

4. Rule E1.2 of the Rules of the Association relevantly states:

“E1 The Association may act against a Participant in respect of any Misconduct, which is defined as being a breach of the following:

...

E1.2 the Rules and regulations of The Association and in particular Rules E3 to E28 below;

...”

5. Rule E8.1 of the Rules of the Association reads as follows:

“E8.1 A Participant shall not bet, either directly or indirectly, or instruct, permit, cause or enable any person to bet on –

E8.1.1 the result, progress, conduct or any other aspect of, or occurrence in or in connection with, a football match or competition; or

E8.1.2 any other matter concerning or related to football anywhere in the world, including, for example and without limitation, the transfer of players, employment of managers, team selection or disciplinary matters.”

6. The same wording appears in the different version of the handbook for seasons 2017/18, 2018/19, 2022/22, 2022/23, and 2023/24, albeit with different paragraph numbering.

Evidence

7. We were provided with a witness statement of [REDACTED] Betting Integrity Investigator of The FA, dated 19 April 2024. His role includes the investigation of alleged breaches of The FA Rules and Regulations in relation to betting. Attached to the witness statement were exhibits **TA/1** to **TA/16**. To summarise, the exhibits included a full list of bets attributed to Mr Pullen, and The FA had highlighted bets that involved Mr Pullen’s own club during the relevant period and/or the competitions the first team of that club played in. Amongst those exhibits was the transcript of an interview of Mr Pullen conducted by [REDACTED] of The FA, with Paul Allen of the Professional Footballers Association also in attendance, which took place on 11 April 2024.
8. A copy of the FA’s Rule E8 for each of the relevant seasons was provided, in addition to The FA’s Betting Sanction Guidelines.
9. Mr Pullen provided a statement which set out his position and effectively set out his mitigation in respect of the admitted charges. There was also a mitigation and defence case summary provided, which appeared to have been drafted by the Professional Footballers Association. [REDACTED]

10. Mr Pullen is an experienced kit manager, having been employed in that role by Ipswich Town FC from 24 June 2013. He previously had wide ranging experience as a professional football player, including spells at a number of professional clubs at various positions in the Football League and wider pyramid.
11. In summary, it was The FA's case that over 7 separate seasons while Mr Pullen was a participant in his role as kit manager, he had placed 867 bets on football when he was prohibited from doing so. Of the 867 bets 394 of them were placed on competitions that Mr Pullen's club participated in and 126 involved Mr Pullen's own club. The relevant bets included 655 League One matches, 318 Championship matches, 164 FA Cup matches, 161 EFL Cup matches and 76 EFL Trophy matches.
12. Most of these bets were in the form of accumulators – indeed of the 126 bets on Mr Pullen's own club 120 were accumulators. It was noted that Mr Pullen had placed no bets on Ipswich Town FC to lose, though 3 of the 126 bets involving the club were for Ipswich Town to draw. There was one spot bet in the form of a £5 single for an Ipswich Town player to score a hat-trick against Rochdale AFC on 3 January 2021, which failed.
13. The total amount staked by Mr Pullen over the period was £1,400.79. The returns on this were £792.67, with total losses of £608.12. Almost all of the bets were small stakes with small potential awards. Both Mr Pullen and his counsellor likened the betting activity to "two pence slot games".
14. At all stages Mr Pullen accepted he had placed the bets in question, apologised, and cooperated fully with The FA. Mr Pullen's explanation from The FA's investigatory stage through to present has been consistent, [REDACTED]. He was aware of The FA's betting rules – in addition to his extensive experience in football the Ipswich Town FC staff handbook warned employees not to engage in betting activity and referenced the FA Regulations.
15. It was not The FA's case that there was anything that further aggravated these bets, in terms of insider knowledge or the like.
16. Mr Pullen's club, Ipswich Town FC, suspended him from his duties on receipt of the charge.

Relevant Guidelines

17. The Regulatory Commission considered the relevant Sanctioning Guidelines for betting cases charged under FA Rule E8. The Commission considered that the relevant guideline was in relation to "bet placed on own team to win" which states:

“Financial Entry Point – Any fine to include, as a minimum, any financial gain made from the bet(s): Fine

Sports sanction range: 0-6 months”

18. The Commission noted that there had been three bets on the participant’s club to draw, and considered whether the more severe guideline of 6 months to life, where a participant has bet on his team to lose, should apply. The Commission was satisfied that due to the guidelines’ silence on bets for the participant’s own team to draw, and the submissions on this from the parties, that the 0-6 months guideline should be taken into account by the Commission in reaching its decision.

19. In order to determine the appropriate sanction, the Commission took into account these relevant factors:

- Overall perception of impact of bet(s) on fixture/game integrity;
- Player played or did not play;
- Number of Bets;
- Size of Bets;
- Fact and circumstances surrounding pattern of betting;
- Actual stake and amount possible to win;
- Personal circumstances;
- Previous record – (any previous breach of betting Rules will be considered as a highly aggravating factor);
- Experience of the participant; and
- Assistance to the process and acceptance of the charge.

20. Additionally, the Commission noted in the guidelines:

“The guidelines are not intended to override the discretion of Regulatory Commissions to impose such sanctions as they consider appropriate having regard to the particular facts and circumstances of a case. However, in the interests of consistency it is anticipated that the guidelines will be applied unless the applicable case has some particular characteristic(s) which justifies a greater or lesser sanction outside the guidelines.

The assessment of the seriousness of the offence will need to take account of the factors set out above. A key aspect is whether the offence creates the perception that the result or any other element of the match may have been affected by the bet, for example because the Participant has bet against himself or his club or on the contrivance of a particular occurrence within the match. Such conduct will be a serious aggravating factor in all cases. A further serious aggravating factor will be where the Participant played or was involved in the match on which the bet was made.

Betting offences are separate and distinct from charges under FA Rule E5 which concerns match fixing. It should be noted that save in exceptional circumstances a Participant found to have engaged in fixing the outcome or conduct of a match would be subject to a lifetime ban from the game. Where it can be proved that a bet has actually affected a result or occurrence

within the match then such conduct will be specifically charged rather than treating the incident as a betting offence.”

Sanction

21. The Commission considered with care the factors set out in the Sanction Guidelines. We had regard to the fact that 867 bets were spread over a period from March 2018 to March 2024, and that these bets were relatively low stakes and in many cases accumulators. The bets were, in many cases, concerning matches played in different competitions to those in which Mr Pullen’s club competed in, and in any event there was no suggestion of any inside information and/or influence of Mr Pullen on the results.
22. Of concern to the Commission was that Mr Pullen had placed those three bets on Ipswich Town to draw. These bets did aggravate the participant’s offence somewhat, albeit the Commission considers this was still at the lower end of the scale in terms of aggravation.
23. The Commission considers breaches of The FA’s Betting Rules to be a serious matter. It is important that the FA’s Betting Rules are upheld in order to protect the overall integrity of the game. Additionally, the Commission were mindful of the public perception of these breaches of the Rules, particularly in relation to the bets involving Ipswich Town FC.
24. The Commission was impressed with Mr Pullen’s remorse and insight into his wrongdoing. The Commission was of the view that Mr Pullen’s risk of re-offending was minimal [REDACTED]
[REDACTED]
The Commission was satisfied that now Mr Pullen takes the Rules and his responsibilities seriously.
25. The Commission also accepted that there was nothing suspicious about the betting.
26. The following were considered to be aggravating factors:
 - a. Mr Pullen is experienced in the game as both a former player and current kit manager, who is therefore expected to be on top of the relevant rules and regulations;
 - b. The offences had an impact on the reputation and integrity of the game, in addition to public perception;
 - c. There were a large number of bets spread over a long period of time; and
 - d. The bets included ones on Mr Pullen’s club to draw.
27. Overall, the following were accepted as mitigating factors:

- a. Mr Pullen admitted wrongdoing at the earliest opportunity;
- b. Mr Pullen co-operated fully with the Association;
- c. There had been no attempt to conceal the betting;
- d. He demonstrated genuine remorse;
- e. Mr Pullen ceased his misconduct as soon as it was brought to his attention;

[REDACTED]

- g. The panel was not aware of any previous rule breaches and/or betting rules breaches; and
- h. The bets themselves were of relatively low value, and there was nothing suspicious about the actual betting.

28. The Commission considered whether a financial penalty was an appropriate sanction and concluded that it was, with reference to the above aggravating and mitigating factors. The Commission were particularly of the view that where a participant has placed bets on a match involving a club he is connected to, this affects the level of financial penalty imposed. Similarly, the large number of bets also affects the penalty. The Commission noted Mr Pullen's weekly net income from football, in addition to his written evidence and the submissions on income and personal circumstances generally. It was concluded that Mr Pullen should be fined £750. The Commission determined that, while the participant had sustained losses through his betting activity, the seriousness of the offence ought still to be marked,

29. The Commission considered whether a suspension was an appropriate sanction and concluded that in this case it was. The Commission was mindful that the Participant placed a number of bets including bets on his own club to draw. It noted that the bets were relatively low in value though quite prolific over a long period of time. Furthermore that there was nothing otherwise suspicious about the betting.

30. The Commission was particularly impressed with the level of remorse and insight shown by Mr Pullen and did not consider there to be risk of re-offending.

31. In order to mark the seriousness of the offence the Commission determined that the participant should be suspended from all football for a period of three months, suspended until the end of the 2025/26 season. The Commission was of the view that a three month suspension marked the seriousness of the offence, while also taking into account that the participant had served a five week suspension imposed by Ipswich Town FC. The Commission was persuaded to suspend the sanction after taking all the circumstances into account, not least the participant [REDACTED] [REDACTED] and low likelihood of re-offending. It was felt that a two season

suspension of the sanction was appropriate given the aforementioned level of insight and remediation, while also providing an appropriate deterrent.

32. Mr Pullen was given credit for his admission of the charges.

Outcome

33. Having taken all the mitigating and aggravating factors of the case into consideration the Commission felt that the following sanction was proportionate and appropriate in all the circumstances:

- a. £750 fine.
- b. A suspension from all football for 3 months, suspended to the end of the 2025/26 season.

34. This decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Richard McLean
Gareth Farrelly
Andrew Adie
2 July 2024