

IN THE MATTER OF A FOOTBALL ASSOCIATION
INDEPENDENT REGULATORY COMMISSION

BETWEEN:

THE FOOTBALL ASSOCIATION

and

SHREWSBURY TOWN FOOTBALL CLUB AND BIRMINGHAM CITY FOOTBALL CLUB

WRITTEN REASONS AND DECISION OF
THE INDEPENDENT REGULATORY COMMISSION FOLLOWING THE HEARING
ON 21 OCTOBER 2024

Background

1. These are the written reasons and decisions made by an Independent Regulatory Commission which conducted a paper hearing by Microsoft Teams on 21 October 2024 to consider consolidated charges against Shrewsbury Town FC and Birmingham City FC.
2. The Regulatory Commission members were Udo Onwere, Chair and Independent Football Panel Member, Francis Benali, Independent Football Panel Member and Alison Royston, Independent Football Panel Member.
3. Marc Medas, the FA Judicial Services Officer, acted as Secretary to the Regulatory Commission.

Shrewsbury Town FC

4. By letter dated 11 October 2024, the FA charged Shrewsbury Town Football Club with misconduct for a breach of the FA Rules pursuant to Rule E20.1 in respect of a EFL Trophy fixture between Shrewsbury Town FC and Birmingham City FC played on 8 October 2024 (“the Match”).
5. It was alleged that in or around the 68th minute of the Match Shrewsbury Town FC failed to ensure that its players did not behave in a way that was improper and/or provocative.
6. The FA had designated the charge against Shrewsbury Town FC as Non-Standard solely due to a previous proven breach of FA Rule E20 in a fixture against Mansfield Town FC on 6 March 2024.
7. From the information provided by the secretary to the Commission, the aforementioned fixture occurred in the EFL U17 Floodlit Cup (Category 2).
8. Consequently, the FA were directed to clarify if the above information was correct. Further, if the information was correct, was it the intention of the FA to categorise this charge as Non-Standard when the previous proven breach occurred at Category 2 level.
9. The position was clarified and the Commission were subsequently informed that this charge against Shrewsbury Town FC was to be designated as a Standard charge.

Birmingham City FC

10. By letter dated 11 October 2024, The FA charged Birmingham City Football Club with misconduct for a breach of The FA Rules pursuant to Rule E20.1 in respect of a EFL Trophy fixture between Shrewsbury Town FC and Birmingham City FC played on 8 October 2024 (“the

Match”).

11. It was alleged that in or around the 68th minute of the Match Birmingham City FC failed to ensure that its players did not behave in a way that was improper and/or provocative.
12. The FA had designated the case against Birmingham City FC as Non-Standard due to a previous proven breach of Rule E20 in a fixture against Wrexham FC on 16 September 2024.

Consolidated Proceedings

13. The above referenced charges were consolidated pursuant to Regulation 13 of the Disciplinary Procedures Regulations at page 173 of The FA Handbook Season 2024-2025. It was stated that the proceedings would be conducted together and the charges would be determined at a joint hearing.

Rules

14. FA Rule E20 states that –

Each Affiliated Association, Competition and Club shall be responsible for ensuring:

“(a) that its directors, players, officials, employees, servants, representatives, spectators, and all persons purporting to be its supporters or followers, conduct themselves in an orderly fashion and refrain from any one or combination of the following: improper, violent, threatening, abusive, indecent, insulting or provocative words or behaviour, (including, without limitation, where any such conduct, words or behaviour includes a reference, whether express or implied, to any one or more of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability) whilst attending at or taking part in a Match in which it is involved, whether on its own ground or elsewhere; and

(b) that no spectators or unauthorised persons are permitted to encroach onto the pitch area, save for reasons of crowd safety, or to throw missiles, bottles or other potentially harmful or dangerous objects at or on to the pitch.”

Evidence

15. The FA included the following evidence with the respective charges:

- a. Extraordinary Incident Report of the Match Referee Mr James O'Connor dated 9 October 2024
- b. Video clips of the incident

The Match Referee Mr O'Connor stated in his report:

"Following on from a reckless challenge in the 68th minute from H14, a mass confrontation involving both sets of players in the middle of the field started. 2 players from both teams received cautions".

Replies to the Charges

16. The charges were admitted by the two clubs.
17. Neither club requested a personal hearing and the cases were dealt with on the papers only. The clubs presented submissions, including still photographs, the contents of which were read and noted.

Findings

18. The following is a summary of the principal submissions provided to the Commission. It does 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 Commission did not take such point, or submission, into consideration when the members determined the matter. For the avoidance of doubt, the Commission has carefully considered all written and video evidence in respect of this case.
19. The Commission summarised the incident as being a keenly contested tussle between the Shrewsbury Town FC 14 and the Birmingham City FC 11 (and a subsequent late challenge by the Shrewsbury Town 14 on his opponent) which resulted in them squaring up to each other in the centre of the pitch. The confrontation between both players triggered a reaction from both sets of players which ended up becoming a mass confrontation. Whilst the reaction of the group of players was not particularly aggressive, lasted for a relatively short time and quickly dissipated back to normality, there were a sufficient number of players involved for the incident to be recognised as being unacceptably improper.

Sanctions

20. As there was no requirement to consider Shrewsbury Town FC's position, the Commission was only provided with details of Birmingham City's relevant antecedents for breaches of FA Rule E20:

Birmingham FC

16 September 2024 v £2,500
Wrexham (League One)

18 May 2024 v Bristol City (Youth U18)	£1,500
21 January 2020 V Middlesbrough (Championship)	£9,000
2 November 2019 v Cardiff (Championship)	£7500

21. The Commission noted that the standard penalties in Sanction Guidelines for an offence under an E20(a) charge committed by a EFL League 1 club was £2,500 for the admitted offence and £3,750 for the offence charge denied but subsequently found proven by a Regulatory Commission. These sanction guidelines were applicable, and therefore applied, to Shrewsbury Town FC. However in relation to Birmingham City FC, as this was a designated non-standard case the standard penalty did not apply and the sanction was open to the Commission to determine as they saw fit.
22. Therefore, in considering Birmingham City FC’s position, the following aggravating features were found to have been present, :
- a. The aggressive attitude adopted by the Birmingham City FC No 25;
 - b. The number of Birmingham City players involved;
 - c. The distance travelled by the Birmingham City FC goalkeeper to join in the melee;
 - d. The lack of culpability expressed in the Birmingham City FC mitigatory letter dated 8 October 2024 in that they sought to entirely blame Shrewsbury Town (and indeed Wrexham for their previous proven charge) and absolve their players of any wrongdoing by claiming their involvement to be a “natural reaction”
 - e. The recency of the proven charge against Wrexham FC in September 2024; and
 - f. The fact Birmingham City appears to have taken no proactive steps to address the recurring behaviour.
23. The Commission noted that the maximum fine applicable for a non-standard charge for an EFL League 1 team for a proven charge was £25,000. Therefore, taking into account the fact that Birmingham City FC had several previous breaches of Rule E20 in the past five years, (the most recent of which was only in September 2024) and based on our assessment of the nature, level of seriousness , culpability of the club and aggravating features listed above, we considered that our entry point for a fine at £9,000 would be appropriate. We then decided to reduce it to £7,500 for the club’s admission to their charge and limited mitigations present.
24. Shrewsbury Town FC received the mandatory sanction fine of £2,500 for an admitted standard charge.
25. As these charges were consolidated, the Commission then considered whether the sanctions reflected the overall culpability, having regard to all the relevant factors. This was to ensure there was not a disproportionate and unjust disparity between the two clubs. The Commission was satisfied that the sanctions were fair and proportionate when all the relevant factors were taken into account.

Conclusion

26. The Regulatory Commission, having carefully considered the Regulations and the mitigating factors, have imposed the following sanctions :

27. Shrewsbury Town FC Football Club is fined the sum of £2,500.

28. Birmingham City Football Club is fined the sum of £7,500.

Appeal

29. These decisions are subject to the relevant Appeal Regulations.

Udo Onwere; Chair

Alison Royston

Francis Benali

25 October 2024