

IN THE MATTER OF A FOOTBALL ASSOCIATION

INDEPENDENT REGULATORY COMMISSION

The FA

V

Doncaster Rovers Football Club

**DECISION AND WRITTEN REASONS
OF THE INDEPENDENT REGULATORY COMMISSION**

Regulatory Commission	Dominic Adamson KC (Chairperson) Alison Royston Matt Wild
Secretary to the Commission	Michael O'Connor
Date	4 March 2025
Hearing Type	Personal Hearing

Introduction

1. On 7 July 2024, Doncaster Rovers FC (“the Club”) was charged with misconduct for a breach of FA Rule E21 in the following terms: -

“You are hereby charged with misconduct for a breach of FA Rule E21 in respect of the Match.

It is alleged that Doncaster Rovers FC failed to ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending the Match and do not behave in a way which is improper, violent, threatening and/or provocative; and/or encroach on to the pitch or commit any form of pitch incursion, contrary to FA Rules E21.1 and E21.3.”

2. The charge related to events at a match which occurred on 20 April 2024 during a match between the Club and Barrow AFC in League Two.
3. On 19 August 2024, the Club admitted the Charge and requested that the matter be dealt with at a personal hearing. The Regulatory Commission deliberated at that hearing on 4 March 2025.
4. We have been provided with pdf bundle comprising 96 digital pages. We have considered it in full. We have also received a supplementary report from Mr Graham White (as to which see below).
5. If we do not mention a document specifically (or a part thereof) that does not indicate that it has not been considered. We have also been supplied with numerous video clips showing the incidents giving rise to the Charge.

The Regulation

6. Regulation E21 provides, as relevant:

“A Club must ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any Match and do not:

E.21.1. use words or otherwise behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative.

...

E.21.3. encroach onto the pitch or commit any form of pitch incursion”

The Evidence

7. The evidence bundle includes a copy of the Extraordinary Incident Report Form (EIRF) prepared by the referee, Carl Brook, on 21 April 2024. He summarised the incident as follows:-

“In this match there was 3 pitch incursions and will be highlighted below

85th minute following a goal scored by Doncaster , 3 fans came over the barrier behind the goal goal (sic) but didn’t enter the pitch area.

88th minute following a goal scored by Doncaster multiple fans came onto the field of play to celebrate the goal , this also included a fan who came onto the pitch and kicked the ball in the direction of myself as match referee , I had to take evasive action to ensure ball didn’t hit me.

90+8th minute following a goal scored by Doncaster I would suggest nearly 200 hundred fans invaded the field of play to celebrate the goal. During this pitch invasion we had fan come up to me as match referee and confronted me by celebrating/ shouting at me.

Also the Barrow goalkeeper Paul Farman who was playing in the game was man handled by Doncaster fans which led to the Barrow management team taking action to come onto the field of play to protect their player as the stewards were not in control of the situation and protecting players.

Following the delay to game when fans eventually left the field of play I checked with the Barrow goalkeeper if he was ok and he confirmed yes and we restarted the game

In the post match debrief with Doncaster head of safety Mike Allott I informed him of all of above which he agreed with. I also informed him of his comment in the pre match safety briefing which said if there was any pitch incursions a dedicated team would come onto pitch to protect the match officials. This didn’t happen and we had as listed above two incidents of interaction with a fan and the match referee.

Mike allott confirmed that some fans had been arrested and they had also reviewed the CCTV in connection with the man handling of the Barrow goalkeeper and spoken to Barrow manager Pete Wild to apologise.”

8. Prior to the charging decision Mr Michael Allot, the Club’s Safety Officer, provided observations on 29 April 2024 following a request from the FA. We do not set it out in full. We note the following:-

- a. The Club issued messages during the lead up to the match regarding action that will be taken in the event of any pitch incursions. This followed the advice contained within the document 'Club Guidance, Tackling Pitch Incursions' that was circulated by the EFL. Supporters were continually informed by way of pre-match information, concourse notices, 'big screen' notifications and public address messages reminding them of their responsibilities
- b. The Barrow game was well attended fixture: 9797 tickets were sold to home supporters and 454 to away.
- c. Due to expected numbers, Mr Allott stated that he increased the number of stewards that were deployed for the match. There were a total of 151 stewards on duty, including 18 who were SIA trained.
- d. The match was categorised as 'low risk'.
- e. At 13:00, prior to allowing spectators to enter the stadium, the Chief Steward at the fixture, Brian Sarson and the Deputy Safety Officer, Kevin Jipson, ran through several exercises, with stewards, aimed at being utilised in the event of any pitch incursions of a celebratory or any other nature.
- f. In the second half, after Doncaster Rovers' equalising goal, two supporters attempted to get over the advertising hoardings towards the pitch, but were stopped by stewards and did not reach the playing surface.
- g. Following Doncaster Rovers' third goal at 16:49, numerous other supporters entered the playing surface from the South (Home) stand. Stewards made attempts to quickly clear the pitch, although one male was violent towards stewards and was escorted to the south west vehicle tunnel, where due to his violence and belligerence, he was handcuffed by Police Officers and detained. The stewards involved in that unfortunately formed part of the team designated to attend to the referee in the event of a pitch incursion.
- h. The team designated to attend to the referee were still dealing with the aftermath of that incident when Doncaster Rovers scored their fourth goal at 17:00:37. A larger number of supporters then entered the playing surface. Stewards attempted to restore order, however there was an incident involving the Barrow AFC goalkeeper and a Doncaster Rovers supporter. This resulted in

three members of the Barrow AFC non-playing staff running onto the pitch. Another supporter was seen to approach the referee. All available staff were engaged in attempting to get supporters off the pitch so the match could resume. The pitch was cleared by 17:02:00 and the match did restart at that time.

- i. Following the match, all CCTV relevant to the incidents has been downloaded. We have also been trawling social media and obtained other footage that we are using in the identification of persons who entered the playing surface.
- j. Mr Allott had (at the time of letter) identified 10 persons involved in the incursion and they would be receiving a club ban during the next week.

9. The FA requested that Graham White conduct a case review. Mr White is a Safety and Security Advisor for the Football Association. His report is dated 6 July 2024.

10. The Club subsequently submitted further documentary evidence (p.28 to 85 inclusive) and as a result Mr White later produced a supplementary report dated 9 January 2025.

11. Mr White also gave oral evidence to the Commission hearing.

12. Mr White wished to make clear that there were aspects of the preparation and planning for the game which were impressive. Similarly, there were aspects of the Club's response to the events on the day which demonstrated the Club had approached the incident seriously. For example:

- a. The Club sought to work to the English Football League Plan regarding incursions. They were generally following the plan.
- b. The pre-match messaging to fans regarding pitch incursions were appropriate.
- c. There was evidence of practice drills with the stewards on how to deal with incursions.
- d. Although it had not been available at the time of his original report, he had subsequently been provided with plans which indicated the Club had

strategies to deal with mass incursions. There was a suitable plan for a mass incursion at the conclusion of a match.

- e. Additional stewards had been put on for this match. Mr White was not critical of the number of stewards available for the match.
- f. After the match the Club had sought to identify individuals who had entered the field of play. Firm action had been taken against a number of fans (in double figures).

13. Therefore, Mr White did not want his evidence to be interpreted as being 'very negative'. However, in his view there were shortcomings in the planning and preparation and in the actions of the stewards on the day of the incident.

14. As regards the pre-match preparation Mr White made the following points:-

- a. Although the documentation indicated that this was a low risk match overall, Mr White considered that in reality this was a match which had a high risk of pitch incursion. This was supported by the fact that all documentation identified pitch incursions and the stewards had rehearsed for such an event before the match.
- b. Mr White considered that there was a need for a team of 'pitch runners' made up of a minimum of 4 people who were suitably fit and trained, and wearing football boots, to deal with an incursion. A pitch runner ought to be SIA qualified or they could be trained by the club. Either way, the pitch runners needed to be trained. They ought to have been based at the half-way line and in corners. It was put to Mr White that no other League Two Clubs that the Club had spoken to about the present proceedings had team of pitch runners of the sort he described. Mr White made the point that it did not matter what it was called, there needed to be a dedicated team which was first resource to deal with such an event.
- c. It ought to have been the pitch runner team's responsibility to remove those who entered or attempted to enter the field of play. That team ought then to be responsible for handing those individuals over to the police and then

returning to their job. Although there was a team which was responsible for team protecting the players and officials (the Players & Match Officials protection team 'PMO') that was not in his view an equivalent.

15. As regards events during the match:

- a. Although there was some evidence of planning for pitch incursions prior to the match the plan was not implemented during the match. The problems which occurred in the match were cumulative. There were 3 separate incidents. There were serious failures in the manner in which the first two incidents were handled. In his view that precipitated the final incident where a large number of supporters entered the field of play.
- b. The first incident occurred in the 85th minute. Two males attempted to enter the field of play but were unsuccessful. The two males were put back into the crowd rather than being removed. They should have been removed. Moreover, after the first incident, in Mr White's view, there is evidence of the crowd congregating towards the front of the stand behind the goal. This should have been identified and there ought to have been an intervention so that they were dispersed. Mr White was unable to see any stewards in the stands.
- c. The second incident occurred in the 88th minute. Two supporters entered the field of play. One of the supporters kicked the ball in the direction of the referee. The two supporters were eventually detained. One was taken away. The other was returned to the crowd. This was a serious error. It sent out the wrong message – *'go on to the pitch, go into the stand'*. The safety officer should have immediately countermanded this action.
- d. The third incident involved a mass incursion. In Mr White's view, there were about 60 to 100 supporters entered the field of play. There was a total breakdown of the steward line. The stewards could not cope with the number of people and effectively abandoned their positions. In Mr White's view a co-ordinated plan was needed. Mr White had been informed that there were 151 stewards on duty. Of those 38 were in fixed posts (pursuant to the requirements of the Safety Certificate although the fixed points were not

provided). In his view the stewards should have been at least side to side in front of the South Stand, if not double-skinned, to act as a visible deterrent and provide an effective barrier. If the post-match incursion plan had been implemented this may well have been sufficient. It was not implemented. Instead, stewards were haphazardly trying to usher people off the pitch. Mr White was unable to account for up to 80 stewards who could have been utilised to deal with the incursion. A co-ordinated response ought to have been overseen by a supervisor or safe officer. A fan approached the Barrow goalkeeper in a confrontational manner.

Analysis Findings

16. During the course of hearing, the Club Safety Officer indicated that he was proud of the stewards and their actions on the day. We were somewhat surprised by this observation. When asked to identify what had gone wrong on the day, the Club appeared to accept only that there had been a pitch incursion and did not show much insight into the underlying reasons. Given the observations it made around awareness of the need for 'pitch runners' the Club asserted that there was a need for education. We were unconvinced by this point. The Club must recognise that it has the responsibility to ensure that appropriate arrangements are in place, not the FA. We do not consider that Mr White's recommendation that there should be a dedicated team to deal with pitch incursions was revolutionary. We consider it is common sense. The Club was also critical of the referee for not retreating to the half-way line when the third incursion occurred contrary to the briefing he had apparently received. We do not consider that this point greatly assists the Club.

17. We were assisted by Mr White's evidence. We consider that he gave fair and balanced evidence. We agree with Mr White that:-

- a. There needed to be a dedicated team to deal with pitch incursions who dealt with any individuals and then immediately returned to post. What it is called is immaterial.

- b. There needed to be firmer action after the first incident. The failure to deal effectively with those who attempted to enter the field of play sent out the wrong message. Moreover, Mr White considered that prior to the second incident those congregating behind the goal needed to be cleared.
- c. The second incident was dealt with wholly ineffectively. The decision to return one of the fans who entered the field of play to the stand was a serious mistake. It sent out entirely the wrong message as Mr White suggests.
- d. In the circumstances, on the balance of probabilities, we accept that the third, and most serious incident was the culmination of the failure to deal effectively with the first two incidents. The response to the third incident was haphazard.
- e. We accept that this was an important match towards the end of the season. However, that all points to the risk of an incursion being significant, it being the last home League match before any potential play-off fixtures. Although there was evidence of planning for incursion, it appeared to be based solely on the expectation of a “celebratory” one after the final whistle. Even so, the plans were simply not implemented effectively which suggests a failure of leadership.

18. In our view the Club rightly accepted the charge. The Club would not have been able to avail itself of the due diligence defence.

Sanction

19. We have in mind the approach taken in the case of FA v Bristol Rovers FC and FA v Birmingham City FC, endorsed in The FA v Leeds United FC. We have considered the following:

- a. The seriousness of the breach.
- b. The club’s culpability.
- c. The level of harm caused.
- d. Any mitigation available.

20. We turn first to the seriousness of the breach. In our view this was a serious breach in an important League Two fixture. There were three incidents. The effect of the incidents was cumulative. It culminated in a mass incursion. This was a serious breach.

21. As regards culpability, we note the reference to the decision in *The FA v Reading* and the sliding scale identified therein.

“The Appeal Board considered that a Club’s culpability for breaching Rule E20 in respect of a mass pitch incursion could range on a sliding scale from [1] the most serious [for example a deliberate decision not to provide the necessary resources for financial reasons], to [2] a reckless disregard in respect of the Club’s duties, to [3] gross negligence, to [4] negligence simpliciter, down to, finally [5] a situation where a club has marginally failed to avail itself of the ‘due diligence’ defence set out in Rule E21.”

22. In our view this falls between category 3 and category 4. The most serious failing in our view was the failure to take effective action after the first and second incidents. The Club was on notice that there was risk of incursion prior to the match. The risk then materialised and no effective action was taken. In our view the circumstances indicate that the Club did not implement its own plan and pre-match messaging. Moreover, the stewarding resources available (which were sufficient in number according to the Green Guide recommendations) were not deployed in such a way to deal with a mass incursion. We have regard to the fact that the fans were in high spirits and the match situation with late goals being scored. However, given that this was a home match at the end of the season in an important fixture the Club ought to have been able to implement an effective plan to deal with a mass incursion. It failed to do so. In isolation the failures during the game might well have placed this in category 3. However, we have regard to the good work before the game. Hence we consider overall it falls short of that.

23. As for harm, in our view there was harm caused by this incident. The referee was approached. The Barrow goalkeeper was confronted verbally and physically. The referee and the players were placed at risk. We acknowledge that there was no actual physical harm caused. It could have been caused.

24. As for mitigation, we make the following observations:-

- a. The Club has accepted the charge. We give them credit for that.
- b. The Club delivers firm messaging in relation to pitch incursions. It took firm action with respect to a number of fans after the game.
- c. The Club has no previous breaches of E.21.

25. We were provided with some details of the Club's finances and the fact that the Club will make a very significant loss this season. We were informed that the Charge has caused a considerable amount of consternation amongst employees of the Club. The Club also made the point that the Commission hearing was taking place approaching 11 months after the incident concerned. Although part of that delay was at the Club's request because of a clash between a proposed Commission hearing date and an FA Cup tie fixture, overall we agree with the thrust of the Club's point – it is not satisfactory that it has taken so long for these proceedings to be brought to a conclusion.

26. We have concluded that the appropriate fine would have been £15,000. We have reduced that to take account of mitigation to £11,500. The Club will be warned as to its future conduct.

27. We are not persuaded that there is a clear and compelling reason why the penalty should be suspended to any extent.

28. There is a right of appeal from this decision as provided for by the Disciplinary Regulations.

Dominic Adamson KC

Alison Royston

Matt Wild

10 March 2025