

IN THE MATTER OF AN INDEPENDENT REGULATORY COMMISSION BETWEEN THE
FOOTBALL ASSOCIATION AND PRESTON NORTH END FOOTBALL CLUB

WRITTEN REASONS AND DECISION OF THE INDEPENDENT REGULATORY
COMMISSION FOLLOWING THE HEARING ON 11 FEBRUARY 2025

Background

1. These are the written reasons and decision made by an Independent Regulatory Commission which sat by video conference on 11 February 2025 to consider the charge against Preston North End FC (“PNE”).
2. The Regulatory Commission members were Mr Michael O’Brien, Chairman and Independent Football Panel Member, Mr Brian Talbot, Independent Football Panel Member and Mr Mick Kearns, Independent Football Panel Member.
3. Mr Michael O’Connor, FA Judicial Assistant Manager, acted as Secretary to the Regulatory Commission.
4. By letter dated 5 February 2025, The Football Association charged PNE with misconduct for a breach of FA Rule E20.1 in respect of the EFL Championship fixture between Blackburn Rovers FC and PNE that took place on 31 January 2025.
5. It was alleged that upon completion of the fixture, PNE failed to ensure that its players and/or technical area occupants did not behave in an improper manner.
6. The FA designated this as a Non-Standard Case due to the serious and / or unusual nature of the alleged misconduct, including the number of players involved and the involvement of technical area occupants.

Rules

7. FA Rule E20 states that – *Each Affiliated Association, Competition and Club shall be responsible for ensuring that its Directors, players, officials, employees, servants and representatives attending any Match do not behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative.*

Evidence

8. The FA included the following evidence with the respective charges:
 - Report of the Match Referee, Mr. J Smith, dated 3 February 2025;
 - Two video clips of the incident; and
 - Essential Information for Clubs 2024-25.
9. The Match Referee Mr J. Smith stated, in his Extraordinary Incident Report Form:-
“Following the full time whistle, I was surrounded by multiple players from PNE, still remonstrating the decision not to award a penalty kick to them in the 96th minute. They continued to protest that the full time whistle had been blown at this time too”.

Reply to the Charge

10. PNE admitted the charge by reply on 7 January 2025. They did not request a personal hearing and their case was dealt with on the papers only. They submitted general mitigation setting out their position on the incident, the contents of which were read and noted by the Commission.

11. In summary, it was submitted that key decisions had gone against PNE during the match, including decisions that had retrospectively been identified as errors by PGMOL and the EFL 'Key Match Incidents' panel. PNE explain that to have key decisions go against them in a tense derby fixture would have contributed to the agitated state of mind of the players. PNE also pointed to the fact that their player, Duane Holmes, and their manager, Paul Heckingbottom, did all that they could to diffuse the situation, ushering players away from the match officials.

12. The Commission noted that the Standard Penalty for admitted 'Surrounding Match Official' offences at Championship Level is £5,000. Where such an offence is denied and then found proven the penalty is £7,500.

13. The Commission noted that six players approached the referee upon him blowing the whistle to end the game. Several of these players ran to the referee at pace. The initial reaction lasted for a few seconds, although some players, including PNE's goalkeeper in particular, continued to remonstrate for another 30 seconds or so. At no point was any contact made with the referee nor did any of the players, in the view of The Commission, invade the personal space of the match officials. The Commission noted that the charge sheet had referenced involvement of technical area occupants but considered that there was only one technical area occupant who appeared to confront the match officials and that this individual had been dealt with via a separate charge.

14. The Commission considered PNE's relevant disciplinary history with regard to E20.1 charges which is as under:

14.1. The Club was fined £5,000 for an incident that occurred in a fixture v Blackpool FC on 23 October 2021;

14.2. The Club was fined £5,750 for an incident that occurred in a fixture v Huddersfield Town FC on 26 December 2022; and

14.3. The Club was fined £10,000 for an incident that occurred in a fixture v Swansea City FC on 19 April 2023.

15. The foregoing is a summary of the principal submissions that were provided to the Commission. It does not purport to reference all of 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 members determined the matter. For the avoidance of doubt, the Commission has carefully considered all the written and video evidence in respect of this case.

Sanction

15. The Regulatory Commission viewed the video evidence in detail and gave consideration to a number of factors - the number of players involved, the duration of the incident, the level of confrontational behaviour involved. The Commission considered this to be a mid level offence

within this category. Although the incident went on for nearly a minute and involved approximately half of the PNE team, the players did not invade the personal space of the referee and there were no aggressive gestures at close hand. The Commission noted the actions of a PNE player and the manager in acting to diffuse the situation.

16. The Commission noted that this was the fourth such incident in five seasons. However, The Commission also noted that this is the first such incident in nearly two years and is the first such incident under the current manager.

17. In determining the fines issued to clubs at this level, the Commission considered the aforementioned Standard Penalty Guidelines. However, this was not a Standard Case, and the Commission has discretion with regard to sanction.

18. The Regulatory Commission did take into account the fact that the charge was admitted at the first opportunity and acknowledged the written submissions of PNE. Taking the offending behaviour into account and the club's previous disciplinary record, the Commission were minded to impose a fine of £9,000. However, there was credit given for the admittance and the fine was reduced by 25% to £6,750.

Conclusion

19. The Regulatory Commission, having carefully considered the Regulations, have imposed the following sanctions:

PNE is fined the sum of £6,750

Appeal

20. This decision is subject to the relevant Appeal Regulations.

Michael O'Brien, Chairman and Independent Panel Member

Mick Kearns, Independent Football Panel Member

Brian Talbot, Independent Football Panel Member

11 February 2025