

IN THE MATTER OF A FOOTBALL ASSOCIATION
INDEPENDENT REGULATORY COMMISSION

BETWEEN:

THE FOOTBALL ASSOCIATION

and

STOKE CITY F.C.

WRITTEN REASONS AND DECISION OF THE INDEPENDENT REGULATORY
COMMISSION FOLLOWING THE HEARING ON 1 MAY 2024

1. These are the written reasons for a decision made by an Independent Regulatory Commission (“the Commission”) which sat by video conference on 1 May 2024.
2. The Commission members were Mr. Simon Parry, (Chairman, and Independent Legal Panel Member), Mr. Matt Williams (Independent Football Panel Member) and Mr. Tony Carr (Independent Football Panel Member).
3. Mr. Michael O'Connor, FA Judicial Services Assistant Manager, acted as Secretary to the Commission.
4. The relevant incident took place in the EFL Championship fixture between Stoke City F.C. (“SCFC”) and Plymouth Argyle F.C. (“PAFC”) on 20 April 2024.
5. By letter dated 23 April 2024 the FA charged SCFC with a breach of FA Rule E20.1, alleging that in or around the 35th minute of the fixture the Club failed to ensure that its players did not behave in a way which was improper and/or provocative. The FA designated the case as Non-Standard due to a previous proven breach of FA Rule E20 in October 2023.
6. The proceedings were consolidated with those for PAFC pursuant to Regulation 13 of the FA Disciplinary Regulations. PAFC's case was dealt with by way of Standard Penalty.
7. The FA relied upon the following evidence:
 - a) The Reports of the Match Referee, Mr. R. Madley, dated 21 April 2024; and
 - b) Video clips of the incident.
8. By written reply dated 26 April 2024 SCFC admitted the charge and requested a paper hearing. The Club relied upon the written observations of Mr. Chris Laird, Club Secretary of SCFC, of the same date.
9. 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 in these reasons of any particular point or submission should not imply that the Commission

did not take such point or submission into account when the members determined the matter. For the avoidance of doubt, the Commission carefully considered all the evidence and materials provided to it.

10. The Commission had the benefit of viewing the video clips of the incident. That is the most useful evidence in enabling a Commission to assess the seriousness of the incident. The incident is short-lived with approximately a dozen players involved in the confrontation which occurred after a challenge in the penalty area. The Match Referee regained order and four of the principal protagonists were cautioned. It is to be noted, as an aggravating feature that one of the SCFC players, number 17 Hoever, ran from almost the halfway line to deliver a forceful two-handed shove to an opponent which inflamed the confrontation even further. It was mindless aggression and totally not necessary.
11. The Commission was informed that SCFC for this season and the preceding five seasons have five previous E20 breaches. They are in 15 December 2018 v Aston Villa (fined £5,000), in 26 December 2018 v Birmingham City (fined £10,000), in September 2021 v Barnsley FC (fined £10,000), in April 2022 v Bristol City FC (fined £9,000) and in October 2023 v Southampton FC (fined £12,000).
12. The Commission reminded itself that the FA had designated the cases as Non-Standard and therefore we are not obliged to follow any Standard Penalties, rather the sanction is at our discretion.
13. The maximum fine for a Non-Standard E20 breach at Championship level is £50,000. However, that maximum is doubled for a second breach occurring within the same season. Thus, the maximum fine available to us is one of £100,000. We note that the Standard Penalty is a fine of £5,000.

DECISION

14. In Mr Laird's submissions, he invites us to conclude that the sanction ought to be at the lower end of the spectrum. He submits that the incident was a relatively minor breach. Viewed in a vacuum, that submission would ordinarily carry some force. However, there is no such vacuum, rather there is the utterly dreadful record that SCFC have for offences of this type, including the previous breach this season. The fact that we have the ability to sanction as high as a fine of £100,00 speaks for itself. The measures that SCFC have put in place to avoid their players behaving in such a way, which Mr Laird advances in his mitigation, are clearly not working. Incidents of this type do not, in our judgment, reflect well on the image of the club or the game. When they are committed by repeat offenders, such as SCFC, that is an even worse reflection for all concerned.
15. It is argued, in mitigation, that the Commission should have regard to both the significance of the match (both clubs being in a relegation battle) and the recent history between the clubs (principally due to the recent move to SCFC from PAFC of the Head Coach, Mr Schumacher). In our judgment, neither of these points provide any mitigation, indeed. In truth, they aggravate SCFC's position. It was all the more important, given the fact that SCFC were in a relegation battle, for players to behave themselves. Similarly, given the knowledge of the history between the clubs, there was every reason for SCFC to take even more care to ensure that unsavoury incidents did not occur and we were not presented with any evidence to support any measures that SCFC had proposed to mitigate such.
16. The only real mitigation in this case is the admission of the Charge. In our judgment an appropriate starting point is a financial penalty of £36,000. We reduce that in SCFC's case to one of £24,000 to take account of their admission and to reach, in our unanimous view, a proportionate and fair sanction.

SANCTION

17. Stoke City FC shall be fined the sum of £24,000.

18. The decision is subject to any appeal as provided by the Regulations.

Mr. Simon Parry (Chairman)

Mr. Matt Williams

Mr. Tony Carr

3 May 2024