



## **FAW REGULATIONS GOVERNING ASSAULTS ON MATCH OFFICIALS**

**These Regulations shall apply at all levels of the game**

### **1. PREFERRING A CHARGE**

- 1.1 Upon receipt of a report from a match official detailing an alleged assault against him/her, the appropriate authority i.e. the Football Association of Wales or relevant Area Association (“the Association”) will, without delay:
  - 1.1.1 investigate the official’s report and if the authority is satisfied that a prima-facie case of assault of a match official can be made out against the alleged offender, the Association shall;
  - 1.1.2 take the necessary steps to prefer an appropriate charge of misconduct against the alleged offender. Details of the charge shall be addressed specifically to the alleged offender and be sent by email to the alleged offender’s email address as listed on COMET or by First Class post to the alleged offender’s home address; and
  - 1.1.3 forward a copy of the charge by email or First Class post to the alleged offender’s club and the relevant league and/or Area Association.
- 1.2 Where the Association is in receipt of a report from a Match Official detailing that an alleged assault has occurred pursuant to Section 3B or 3BA (Assault causing no or Actual Bodily Harm) or Section 3C (Assault Causing Serious Bodily Harm), the Association shall impose an immediate interim suspension on the alleged offender concerned upon invoking Regulation 1.1 hereabove.
- 1.3 Where the Association is not in receipt of a report from the Match Official but is in receipt of information (whether verbally or in writing) that an assault pursuant to Section 3B or 3BA (Assault ( causing no or Actual Bodily Harm) or Section 3C (Assault Causing Serious Bodily Harm) has occurred, the Association may impose an immediate interim suspension on the alleged offender.
- 1.4 In deciding to adopt this course of action, the Association must:-

- 1.4.1 contact the alleged offender's club and establish, without delay, address and telephone contact details of the alleged offender; the club should also be informed of the suspension at this time;
- 1.4.2 contact the alleged offender directly, confirming the suspension and reasons for this course of action.
- 1.4.3 A written report of the incident must be received from the match official concerned within two (2) Business Days of the match and forwarded, with a letter setting the details of the charge of misconduct, to the alleged offender concerned as detailed under Regulation 1.1 hereabove.
- 1.4.4 If the match official's report is NOT received within two (2) Business Days of the match, the authority must lift the suspension by means of contacting the club and alleged offender directly and make appropriate enquiries with the match official(s) concerned. This action should be confirmed in writing to all parties.

## **2. CONDUCT OF THE HEARING**

- 2.1 A disciplinary body of the Association must be convened within fourteen (14) Business Days as of the date of the letter detailing the charge of misconduct against the alleged offender.
- 2.2 The alleged offender shall be given a minimum notice of seven (7) Business Days to attend the convened disciplinary body's hearing.
- 2.3 The hearing shall be conducted in accordance with the relevant rules of the Association.
- 2.4 Having considered all the evidence available, the disciplinary body shall decide one of the following:-
  - 2.4.1 The alleged offender is not guilty of misconduct
  - 2.4.2 The alleged offender is guilty of misconduct defined under FAW Rule 38.1.9 (or equivalent Area Association rule).
  - 2.4.3 The alleged offender is guilty of misconduct and such conduct falls within the definition of Category A (Technical Assault) of these Regulations detailed in Section 3 herebelow.
  - 2.4.4 The alleged offender is guilty of misconduct and such conduct falls within the definition of Category B or BA (Assault causing no or actual bodily harm) of these Regulations detailed in Section 3 herebelow.

- 2.4.5 The alleged offender is guilty of misconduct and such conduct falls within the definition of Category C (Assault causing serious bodily harm) of these Regulations detailed in Section 3 herebelow.
- 2.5 In relation to a finding under Regulation 2.4.1, 2.4.2 and 2.4.3 hereabove, the disciplinary body will lift any interim suspension imposed, under Regulation 1.2 with immediate effect, and inform the alleged offender accordingly at the conclusion of the hearing.
- 2.6 If the alleged offender is found guilty of misconduct as set out under Regulation 2.4.2, 2.4.3, 2.4.4 or 2.4.5 hereabove, the disciplinary body will request mitigating factors and due consideration will be given to these factors when considering the level of penalty or sanction to impose.
- 2.7 In relation to a finding under Regulation 2.4.2, 2.4.3, 2.4.4 and 2.4.5 hereabove, the disciplinary body when deciding the penalty or sanction must give consideration to the matches missed by the alleged offender as a result any interim suspension imposed.
- 2.8 In relation to a finding under Regulations 2.4.2, 2.4.3, 2.4.4 and 2.4.5 hereabove, any period of suspension imposed by the disciplinary body must commence from the date of the interim suspension.
- 2.9 Where a suspension is imposed as a result of a finding under Regulation 2.4.2, 2.4.3, 2.4.4 or 2.4.5 hereabove, the disciplinary body shall consider the ‘Category of Suspension’ (as defined by the FAW Regulations) to be served.
- 2.10 Where practicably possible, the disciplinary body shall inform the alleged offender of the penalty or sanction imposed at the conclusion of the hearing.
- 2.11 Whether or not the penalty or sanction is given at the conclusion of the hearing, the disciplinary body will confirm their decision and penalty or sanctions imposed in writing to the alleged offender within three (3) Business Days as of the date of the hearing.
- 2.12 A copy of the decision relating to the hearing must be forwarded to the Football Association of Wales within three (3) Business Days as of the date of the hearing.

### **3. CATEGORIES OF ASSAULT**

#### **3A. Technical Assault** (where there is no element of contact between the offender and match official)

##### 3A.1 A Technical Assault will occur where:

- 3A.1.1 An individual uses words or actions that are reasonably likely to intimidate and/or threaten the official; and

3A.1.2 The intimidation and/or threat is one of a violent nature; and

3A.1.3 The individual was within a close proximity to the official at the time of the intimidation and/or threatening behaviour; and

3A.1.4 The words or actions used caused the official to feel intimidated, threatened and/or fearful of the use of violence by the individual.

3A.2 A Technical Assault will occur regardless of whether the individual intended to carry out the threats.

3A.3 Actions that are reasonably likely to intimidate and/or threaten the official will also include careless actions which will include, but is not limited to, the throwing or kicking of objects or substances or spitting towards the match official but where no contact is made with the said official.

3A.4 When considering proximity under 3A.1.3, the disciplinary body will consider whether the individual made an attempt to advance towards the official in order to intimidate and/or threaten.

### **3B. Assault (causing no bodily harm)**

3B.1 An assault in accordance with this category is defined as any circumstance of an inappropriate nature where physical contact is made with an official which does not result in bodily harm but may or may not cause upset and/or distress.

### **3BA. Assault causing actual bodily harm**

3BA.1 An assault shall be regarded as causing actual bodily harm when any bodily injury occurs which at the reasonable discretion of the disciplinary body is deemed bodily harm of a minor nature rather than serious bodily harm falling within Category C below. Examples of bodily harm of a minor nature include, but are not limited to, redness or scratches.

### **3C. Assault causing serious bodily harm**

3C.1 An assault shall be regarded as causing serious bodily harm if the official suffers any serious injury, including but not limited to injury to limbs, bones or senses, cuts, bruises, burns or concussion.

3C.2 Serious bodily harm may occur whether or not the Official requires medical treatment or first aid but shall not include harm which at the reasonable discretion of the disciplinary body is deemed bodily harm of a minor nature falling within Category B above.

- 3.D. Categories 3B, 3BA and 3C include, but are not limited to, the throwing or kicking of objects or substances or spitting towards the match official where the said object or substance or spit makes contact with the match official.

#### **4. RECOMMENDED SANCTIONS**

##### **4A. Technical Assault**

A maximum of 182 days suspension from football (the ‘Category of Suspension’ to be determined by the disciplinary body) and a minimum fine of £50.00.

The length of the suspension is to be determined by a Judicial Body of the FAW or an Area Association on a case by case basis. Below is the recommended starting point for a fine for an individual found proven of Technical Assault in accordance with these Regulations. It will then be for the Judicial Body to consider aggravating and mitigating factors to increase or decrease the fine as necessary;

Level 1 & 2	-	<i>£225.00 fine + costs</i>
Level 3, 3R & 3F	-	<i>£150.00 fine + costs</i>
Level 3Y	-	<i>£120.00 fine + costs</i>

For Adults & Youth team football in tier 4 and below in the FAW Pyramid Regulations (managed by the Area Associations), the recommended starting point should be a £120.00 fine and costs.

##### **4B. Assault (causing no bodily harm)**

A maximum of two years suspension from football (the ‘Category of Suspension’ to be determined by the disciplinary body) and a minimum fine of £75.00.

The length of the suspension is to be determined by a Judicial Body of the FAW or an Area Association on a case by case basis. Below is the recommended starting point for a fine for an individual found proven of Assault in accordance with these Regulations. It will then be for the Judicial Body to consider aggravating and mitigating factors to increase or decrease the fine as necessary;

Level 1 & 2	-	<i>£350.00 fine + costs</i>
Level 3, 3R & 3F	-	<i>£225.00 fine + costs</i>
Level 3Y	-	<i>£180.00 fine + costs</i>

For Adults & Youth team football in tier 4 and below in the FAW Pyramid Regulations (managed by the Area Associations), the recommended starting point should be a £180.00 fine and costs.

##### **4C. Assault (causing actual bodily harm)**

A maximum of three years suspension from football (the ‘Category of Suspension’ to be determined by the disciplinary body) and a minimum fine of £75.00.

The length of the suspension is to be determined by a Judicial Body of the FAW or an Area Association on a case by case basis. Below is the recommended starting point for a fine for an individual found proven of Assault in accordance with these Regulations. It will then be for the Judicial Body to consider aggravating and mitigating factors to increase or decrease the fine as necessary;

Level 1 & 2	-	<i>£475.00 fine + costs</i>
Level 3, 3R & 3F	-	<i>£300.00 fine + costs</i>
Level 3Y	-	<i>£240.00 fine + costs</i>

For Adults & Youth team football in tier 4 and below in the FAW Pyramid Regulations (managed by the Area Associations), the recommended starting point should be a £240.00 fine and costs.

#### **4D. Assault (causing serious bodily harm)**

A Sine Die suspension from ALL FOOTBALL RELATED ACTIVITY with no review to be considered under a period of 5 years and a minimum fine of £100.00.

The length of the suspension is to be determined by a Judicial Body of the FAW or an Area Association on a case by case basis. Below is the recommended starting point for a fine for an individual found proven of Assault causing Serious Bodily Harm in accordance with these Regulations. It will then be for the Judicial Body to consider aggravating and mitigating factors to increase or decrease the fine as necessary;

Level 1 & 2	-	<i>£550.00 fine + costs</i>
Level 3, 3R & 3F	-	<i>£375.00 fine + costs</i>
Level 3Y	-	<i>£300.00 fine + costs</i>

For Adults & Youth team football in tier 4 and below in the FAW Pyramid Regulations (managed by the Area Associations), the recommended starting point should be a £300.00 fine and costs.

**4.E** Where the offender is aged under 18 at the time of the assault a reduction to the sanction which would otherwise apply to an adult, should be considered. The extent of any reduction should reflect the particular age and maturity of the offender.

### **5. AGGRAVATING AND MITIGATING FACTORS**

5.1 When determining the penalty or sanction to be imposed under Regulation 4A, 4B, 4C or 4D hereabove, consideration should be given to:-

5.1.1 aggravating factors - these may include (but not limited to):- the level of the game the alleged offender participates, the seniority of the alleged offender within the club, the length of the incident, the requirement for others to prevent an escalation of the

incident, the age of the match official in comparison to the offender, the impact on the match official, the severity of the incident and previous disciplinary record;

5.1.2 mitigating factors - these may include (but not limited to):- the remorsefulness of the alleged offender, acceptance of the charge of misconduct, post incident behaviour of the alleged offender, the length of the incident, lack of involvement from any other party to stop the incident and previous disciplinary record.

## **6. MISCELLANEOUS**

6.1 Any penalty or sanction imposed in accordance with these Regulations is subject to appeal as set out under Section E of the FAW Rules.

6.2 A suspension from football imposed in the case of a disciplinary body's finding under Regulation 2.4.4 or 2.4.5 hereabove, shall remain in place until such time as an appeals body determines otherwise. Except that, an appellant may submit a written application to the appointed chairman of an appeals body convened to consider an appeal for the penalty or sanction imposed to be set aside whilst the appeal hearing is pending.

6.3 The decision of the chairman of an appeals body relating to any such application under Regulation 6.2 shall be final and binding on all parties and not subject to further appeal.

6.4 In any case involving an assault upon a match official, a suspension from all football activity applies across the whole of Wales.

## **7. DEFINITIONS**

Level 1	-	Cymru Premier Adran Premier
Level 2	-	Cymru South Cymru North Adran North Adran South
Level 3	-	Ardal Leagues
Level 3R	-	FAW Reserve Leagues
Level 3Y	-	The Cymru Development Leagues The FAW Youth Leagues
Level 3F	-	The FAW Futsal League The FAW Futsal Cup