

FA CHARGING POLICY AND SANCTION GUIDELINES SPECTATOR MISCONDUCT



1. INTRODUCTION

Following on from a significant increase in reported spectator misconduct, The FA has reviewed and amended the relevant rules (FA Rule E20 and E21).

This document sets out the basis for The FA's policy on the regulation of spectator misconduct in football; how it will be applied in relation to FA Rules and Regulations; when disciplinary action is likely to arise; and what sanctions may apply following disciplinary action. This policy document replaces any previous guidance issued in relation to FA Rules E20 and E21 and is effective from the start of season 2022/2023.

To the extent there is any discrepancy between this policy document and FA Rules and Regulations, FA Rules and Regulations shall apply.

2. FA RULE E21

Please note FA Rule E20 has been amended to focus on individuals attending football matches who are not spectators or supporters. [A copy is available by clicking here.](#)

FA Rule 21 now sets out the rules relating to spectator misconduct at football matches as set out below.

“SUPPORTER BEHAVIOUR”

E21 *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:*

E21.1 *use words or otherwise behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative;*

- E21.2 throw missiles or other potentially harmful or dangerous objects at or on to the pitch;*
- E21.3 encroach on to the pitch or commit any form of pitch incursion;*
- E21.4 conduct themselves in a manner prohibited by paragraph E21.1 in circumstances where that conduct is discriminatory in that it includes a reference, whether express or implied, to one or more of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.*
- E21.5 it shall be a defence to a Charge in relation to Rules E21.1 to E21.3 (only) if a Club can show that all events, incidents or occurrences complained of were the result of circumstances over which it had no control, or for reasons of crowd safety, and that its responsible officers or agents had used all due diligence to ensure that its said responsibility was discharged. However, when considering whether this defence is made out a Regulatory Commission will have regard to all relevant factors including:*
- The extent to which the Club has discharged its duty;*
 - The severity of the issues involved;*
 - The extent to which similar issues have occurred previously in which case whether the Club took sufficient action in preventing further such incidences.*

E21.6 For the avoidance of doubt Rule E21 shall apply to the conduct of both a Club's home and/or away supporters.

3. THE FA'S INVESTIGATION

The FA reserves the right to take disciplinary action against any Club where its supporters or spectators act as outlined above in E21.

Where The FA becomes aware of an allegation of potential misconduct by a Club's supporter(s) then an investigation will be commenced where The FA is of the view that a Club may have breached E21.

As part of any investigation a Club will be expected to set out the details of the following (this is not an exhaustive list):

- the preparation and planning undertaken for that fixture;
- measures taken at the time of any incident;
- the actions taken post event in order to identify the perpetrators; and
- the steps taken in respect of said supporters.

4. WHEN WILL THE FA TAKE ACTION?

The following non-exhaustive factors will be taken into account in considering whether to issue a Charge:

- The level of preparation and planning that the Club undertook in the run up to the relevant fixture.
- The steps taken by the Club to deal with the incident once it became aware of the same.
- The steps taken by the Club to identify the supporter(s) involved, and the sufficiency of the action taken against the supporter(s) (if any).
- The nature of the behaviour of the supporter(s) involved.
- The consequence(s) of the conduct of the supporter(s) (e.g. whether potential and/or actual harm has been caused to any person(s)).
- The duration of the incident.
- Whether the Club has received previous warnings or charges in respect of crowd behaviour.

For the avoidance of doubt, the above factors are non-exhaustive, and the individual facts and circumstances of each case will always be considered when deciding whether to take formal disciplinary action.

It is a matter for The FA whether or not to issue a Charge and the fact that a Club may seek to raise the defence referenced in Rule E21 shall not be a barrier to The FA issuing a Charge. It is ultimately a matter for a Regulatory Commission whether a Club has met the relevant criteria under the Rule to successfully defend a Charge.

5. FACTORS TO BE CONSIDERED WHEN DETERMINING SANCTION

A Regulatory Commission may impose any penalty as provided by paragraph 40 of Part A to the Disciplinary Regulations.

In particular, a Regulatory Commission shall consider imposing any combination of:

- a financial penalty;
- the closure of a stand (or part thereof) of a Club's stadium for a specified number of Matches ("**Partial Stadium Closure**"); or
- the closure of a Club's stadium for a specified number of Matches (i.e. the playing of a Match or Matches without spectators being present) ("**Full Stadium Closure**")

A Regulatory Commission will have due regard to the circumstances and seriousness of the incident when determining the appropriate sanction (to include the level of any financial penalty that may be imposed). In so doing, the Regulatory Commission will consider a range of factors, to include the following:

- The number of supporters involved;
- The nature of the behaviour of those involved;
- The duration of the incident(s);
- The severity of the incident(s) and/or whether any injury occurred to any person(s) or could have occurred;
- Whether the Club (and/or its officers):
 - took all reasonable steps in its preparation and planning for the fixture in which the Relevant Breach occurred;
 - took all reasonable steps in dealing effectively with the incident, when it arose;
 - took all reasonable steps in identifying the supporter(s) involved;
 - took sufficient action against those supporters responsible where those individuals were identified.
- The previous disciplinary record of the Club in respect of crowd matters.