



**THE INDEPENDENT  
FOOTBALL OMBUDSMAN**



**Chartered Trading  
Standards Institute  
ADR Competent Authority**

The Independent Football Ombudsman is approved by Government under the Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015

**IFO COMPLAINT REF: IFO340**

**A 2.5-year Ban at Wrexham**

### **The role of the Independent Football Ombudsman (IFO)**

1. The office of the IFO has been established by the three English football authorities (The Football Association, The Premier League and The English Football League) with the agreement of Government. The IFO has been designated as the final stage for the adjudication of complaints which have not been resolved within football's complaints procedure. The IFO is an Approved Alternative Dispute Resolution Body and its findings are non-binding. IFO Adjudications will normally comprise two parts: an impartial assessment of the substantive complaint and a review of the procedure by which the complaint was handled. The IFO's role is to investigate the complaint and judge whether it was dealt with properly and whether the outcomes were reasonable for all parties concerned. Under the procedure agreed by the Football Governing Bodies, the adjudication of the IFO is final and there is no right of appeal against IFO findings.

### **The complaint**

2. The Supporter's complaint relates to a ban they received from the Club for their alleged refusal to follow a safety instruction and assault of a steward at a home match on 25 November 2023 (the "incident").

3. On 16 December, the Supporter attended a match at the Club's stadium as their adult son's carer. The Supporter explained that 10 minutes into the match they were removed from the stadium by staff on the basis that they were subject to a Club ban. The Supporter stated that they weren't aware of a ban, prior to that point.

4. The Supporter complained to the Club after the match and received a response via email on 20 December, with an attached 'Notice of Ban' document, which was dated 08 December.

5. The letter stated that the Supporter was:

*'banned from attending any Wrexham AFC home matches... from all stadium events at the Racecourse Ground, along with Club away travel and priority booking for away games... effective from the date of this letter [08 December 2023] and will run until May 2026.'*

6. The Supporter confirmed receipt of the Notice of Ban letter in the post on 19 December and felt that the Club could have emailed the Notice of Ban in the first instance. The Supporter provided photographs of an envelope addressed to them, with a second-class stamp attached. The letter was stamped by Royal Mail Chester & N Wales dated 15 December 2023.

7. The Supporter explained that they had already purchased tickets for two away matches prior to the incident, for fixtures taking place over the Christmas period. The Supporter noted that they enquired with the Club whether they could use the tickets, as they were subject to a ban. However, the Club confirmed that the Supporter could not attend the fixtures due to the sanction being in place. The Supporter asked the Club for a refund of the away match tickets. The Club rejected the request and suggested the Supporter appeal against the ban. The Supporter was unhappy that the tickets were not refunded and felt that the Notice of Ban letter did not state that it included a ban from attending away matches of the Club.

8. The Supporter lodged an appeal with the Club. The Club maintained the ban, following an appeal hearing.

9. The Supporter denies that they assaulted a steward and rejects the Club's account of the incident. The Supporter does not feel that the Club has followed their policies or the EFL Supporter Sanctioning Guidance and they believe that the sanction received is unjustly severe.

10. The Supporter stated that the point of contact at the Club that was involved in the incident had been their only contact, suggesting that the person was the sole decision maker and there had been no mention of a panel. The Supporter feels that they have been denied the benefit of a hearing and the opportunity to defend themselves in full.

11. The Supporter is seeking a review of the sanction by an independent panel, the removal of the ban on attending away matches and a refund of the two away matches tickets that their son was unable to attend (£27 and £25).

### **The Club's response**

12. The Club provided a summary of their findings in relation to the incident which led to the ban. It explained that a Notice of Ban letter was sent to the Supporter after the incident had been reviewed. The Club stated that the assessment of the incident was undertaken by reviewing CCTV footage and obtaining statements from staff involved.

13. It noted that the Supporter's son (who is over 18) was also contacted to ensure that they continued to attend matches with other family members. The Club stated that it was made aware that the Supporter continued to attend matches, using their daughter's account, despite being banned from doing so.

14. In reference to the specific points raised about the extent of the ban, the Club noted that the Notice of Ban letter states that no away travel and purchase of tickets is permitted.

15. The Club refuted the Supporter's claim that there was a sole decision maker, noting that a number of staff were involved in the process: the Head of Operations, the Stadium Managers (who form part of the Safety Team), the Safety Officer and (due to the unavailability of the Club Secretary) the Head of Ticketing.

### **The investigation**

16. The IFO has reviewed the documentation supplied by both parties in support of their position. Further information was provided by the Club and Supporter, in response to enquiries by the IFO.

### **The chronology**

17. The paragraphs below reflect a summary of the key points in the dispute. The outcome of all IFO cases are dependent on an assessment of the evidence and information provided by both parties, which the IFO has duly reviewed. However, this adjudication will not comment exhaustively on every point raised by each party, but all comments have been read and understood.

18. The Supporter attended the match between Wrexham and Morecambe on 25 November during which the alleged incident occurred, giving rise to an investigation by the Club and resulting in a ban from the Club. During the match, the Club stated that the Supporter was ejected from the stadium for their behaviour, which, as the Notice of Ban letter alleged, was for refusing to follow a safety instruction and an assault of a steward.

19. The Supporter was issued with a Notice of Ban letter from the Club. The parties were in dispute about when the letter was sent and received. The Club stated that the letter was posted on the morning of 08 December, whereas the Supporter claimed to have received the letter on 19 December.

20. The Notice of Ban letter was dated 08 December. The letter provided information about the suspension:

*'...we are hereby notifying you, that you are with immediate effect banned from attending any Wrexham AFC home matches, including any season ticket you have, from all stadium events held at the Racecourse Ground, along with Club away travel and priority booking for away games.*

*The ban is effective from the date of this letter and will run until May 2026. If you are found in breach of this interim banning order the Club reserved the right to take this into account when conducting our own investigation.'*

21. The Supporter also attended the match between Wrexham and Colchester on 16 December, during which they were ejected, which the Club explained was due to the Supporter being subject to a ban. The Supporter stated that they had not received the Notice of Ban letter by the date of the match, on 16 December.

22. The Supporter emailed the Club on the evening of the match referred to in paragraph 21, to complain about their and their son's ejection from the stadium, having not received prior notice of the ban.

23. The Club responded to the Supporter's email, on 20 December, attaching the Notice of Ban letter dated 08 December alongside an abridged version of the letter. The Club stated that the Supporter's son had not been ejected from the match as referred to in paragraph 21, and that the Supporter's son was welcome and able to stay for the match without their father present, should they wish.

24. The Club also stated that the ban was issued in accordance with EFL sanction policies. The Club also provided some further reasoning about the ejection on 25 November via the Safety Officer:

*'I saw the incident that resulted in you being initially ejected, your refusal to comply with a safety instruction, your striking of the Steward who attempted to ask you to sit down and the slamming down of the chair when you eventually decided to comply. As the Ground Regulations state "a steward or police officer has authority to eject anyone who may be (in the Club's reasonable opinion) a danger, nuisance or annoyance to any person." I would strongly argue that you were in breach of all three.'*

25. The Club also informed the Supporter about their right to appeal and noted that the Notice of Ban letter was 'issued on December 8<sup>th</sup>'. The email also confirmed that the Supporter's son was welcome to attend the next fixture, but not the Supporter, given that they were subject to a ban.

26. The Supporter wished to note the Club's Safeguarding, Welfare and EDI Lead contacted Manchester Adult Social Services to 'highlight the Club's concerns' about the Supporter's son being able to attend future matches.

27. The Club explained why a safeguarding referral was made:

*'A safeguarding referral was made to the local authority in his home area to social services due to [the Supporter's] aggression on the day and subsequent care for his son.'*

28. The Supporter claimed that they received the Notice of Ban letter in the post on 19 December. The Supporter wished to note that the envelope was stamped dated 15 December having been sent via second class post. The Supporter provided photographs of an envelope addressed to them with a second class stamp attached.

29. The Supporter exchanged a number of emails with the Club concerning the extent of the ban and the process of appeal. Within the emails – both query and response sent on 22 December, the Supporter was told that the ban extended to home and away Wrexham matches.

30. The Supporter's appeal was sent to the Club on 27 December and acknowledged by the Club a day later. Within their appeal, the Supporter apologised for their actions and stated that the *'unintended consequences of a ban are far more reaching'*, as their son would also be impacted by the Supporter's non-attendance at matches. The Supporter stated that during the eight years since they have been using the wheelchair viewing platform, the Supporter had *'invariably stood at his [the Supporter's son's] side.'* However, on this occasion, the Supporter acknowledged that a steward had asked them to sit down. The Supporter noted that they questioned the Steward about the request and *'moved a step or two back and to the side.'*

31. The Supporter explained that Wrexham scored and they *'hadn't noticed that the Steward had moved in front of us.'* The Supporter stated that they and their son couldn't see the second goal as the Steward was standing in the way, which they immediately complained to the Steward about and they *'instinctively used an arm in an attempt to make him [the Steward] move out of [the Supporter's son's] line of sight.'*

32. Regarding the alleged assault of the Steward, the Supporter rejected the Club's claim and provided their account:

*'From memory, I made contact with his jacket around the midriff point; in no way was it an attempt to strike or assault him. From this moment on I became indignant and unresponsive to requests. Unfortunately my reaction is primarily as a consequence of seeing [my son] yet again being disadvantaged by the actions of others; in this instance being unsighted by the Steward.'*

33. Regarding the ban, the Supporter stated:

*'I agree that a Club sanction is probably the correct course of action however, I strongly disagree with the charge of assault and indeed the length of ban.'*

34. The Supporter clarified the impact of their ban on their son:

*'This [their role as their son's carer at matches] is a part time paid position of employment that I have held as part of a team of personal assistants with [my son] for many years. The Christmas period rostering was scheduled some time ago to allow his full time team members time off for their Christmas holidays. As a result of the ban, this has resulted in [my son] having to miss attending the Swindon and Walsall games.'*

35. The Club's appeal decision was sent to the Supporter on 05 February 2024, by email. In summary, the appeal was rejected and the initial ban remained on the basis of the Club's assessment of CCTV footage, steward statements, the Supporter's appeal submission and a character reference.

36. The Supporter acknowledged receipt of the appeal decision email, on 07 February. They requested a copy of the CCTV footage the Club considered and noted that they would be contacting the IFO.

37. The Club acknowledged receipt of the Supporter's email, although no reference was made to the Supporter's request for retention of the CCTV footage.

## **The IFO's findings**

38. The IFO has considered the evidence and representations provided by both parties and will deal with each issue raised under separate headings, below.

### **The CCTV**

39. The IFO made enquiries with the Club about the availability of the CCTV footage the Club had used. Although the Club initially indicated that footage was available to view, The Club stated that CCTV had not been retained and was therefore not available. If the footage had been accessible, it would have been useful for the IFO to consider in the investigation, as it may have presented an objective view of the incident. The Club explained that the footage was not retained as the *'Club had no reason to believe that this incident and ejection would come to this.'*

40. Furthermore, the Club remarked that the incident was witnessed by *'the Safety Officer, Head of Operations, CCTV Operator and two stewards...'*

41. In the appeal decision letter, dated 05 February 2024, the Club stated that 'evidence from CCTV' had been used to reach the appeal panel's findings. There was no evidence that the CCTV had been kept beyond the retention period as the appeal hearing was not dated.

42. It was noted from the email of 07 February that the Supporter asked the Club to retain a copy of the CCTV as they would be lodging a complaint with the IFO. The Club explained that footage is held for eight weeks before it is automatically deleted. The eight week period ended after 20 January 2024. The Supporter's request was therefore made after the footage had expired.

43. The Club's 'EFL Digital Privacy Policy' contains a section on the considerations to determine an appropriate period for the retention of personal data.

44. It is the IFO's view that CCTV footage of the incident should be considered as essential evidence whenever it is used to ban a supporter. The IFO considers that the Club could have taken steps to retain the footage past the expiration date. **The IFO recommends that the Club incorporates this into their data retention policy.**

### **The incident**

45. The Club's supporter charter contains a code of conduct for spectators, which states:

*'Wrexham AFC prides itself in promoting a family atmosphere at all home and away matches. Any ticket holder found to be demonstrating racist, offensive, abusive, homophobic or any unacceptable language or anti-social behaviour will be ejected from the ground and no refunds will be given and further action may be taken...'*

*Where incidents of unacceptable conduct are reported or detected, and after carrying out its own internal investigation, the Club reserves the right to ban supporters for life or suspend supporters for a period of time deemed*

*appropriate if the Club deems a supporter to be in breach of ground regulations.'*

46. Section 1 of the Ground Regulations states:

*'Notwithstanding possession of any ticket the Club, any police officer or authorised steward may refuse entry to (or eject from) the Ground any person:*

*1.1 that fails (or in the Club's reasonable opinion is likely to fail) to comply with these Ground Regulations and/or the Supporter Code of Conduct and/or any reasonable instruction issued by a police officer or authorised steward or officer of the Club; and/or*

*1.2 whose presence within the Ground is, or could (in the Club's reasonable opinion), constitute a source of danger, nuisance or annoyance to any other person.'*

47. Section 13 of the Ground Regulations states:

*'Nobody may stand in any seating area whilst play is in progress (except those persons who have tickets in any Licensed Standing in Seated Areas...). Persistent standing in seated areas other than Licensed Standing in Seated Areas whilst play is in progress is strictly forbidden and may result in ejection from the Ground.'*

48. Section 25 of the Ground Regulations states:

*'At all times whilst present in the Ground, persons must comply with any and all instructions of any steward or officer of the Club and/or any police officer (including without limitation any instructions regarding health and safety such as those in respect of communicable diseases (and such persons shall comply with any government guidelines in respect of the same)). Failure to comply with any instruction may lead to immediate ejection from the Ground.'*

49. In the initial Notice of Ban letter, the Club and Police identified the Supporter 'for refusing to follow a safety instruction and then the assault of a steward...'

50. The IFO asked the Club about the alleged assault. The Club stated that the Steward involved did not wish to pursue the matter with the Police.

51. The Supporter explained that they made contact with the Steward that told them to sit down and that they had been annoyed by the Steward blocking the Supporter's son's view. The Supporter disagreed that there was an assault and stated that the action was not forceful or malicious.

52. The IFO considered the Club's control log. This is understood to be a contemporaneous record. The record showed that the first note was at 15:15 in which a male (which appears to be the Supporter) was identified as standing on the disabled platform that had been told to sit down. Permission was provided for the Supporter to be removed from the stadium 'due to aggressive attitude and one steward being assaulted.' The internal exchange requested that the Supporter's son was not removed, and the Disability Liaison Officer had deemed that the Supporter's son 'will be fine on his own.' The log noted that the son's sister was in the

stadium and *'can be contacted if needed.'* A note at 15:23 stated: *'Dad is taking his son and making him leave.'* The log read that *'this may be a safeguarding issue as he [the Supporter] has forced his son to leave. Please chat with son to make sure his son is happy to go.'*

53. The Supporter stated that they had been standing and that they refused the requests of both the Steward and Head of Operations to sit down. The Supporter remarked that they asked the Steward why they were being asked to sit down, given that they were not blocking anyone's view. The Supporter stated that they were told by the Steward that they needed to be able to see the other fans beyond the Supporter, to their right and below. Despite this, the Supporter confirmed that they did not adhere to the Steward's request.

54. It was noted from the Steward's account of the incident that the Supporter was told that it was an *'all seating stand'*. The IFO has viewed images of the seating platform and the chairs supplied for companions.

55. The Supporter claimed that the Steward stood in their son's line of sight which *'intensified the situation'*, although the Club did not accept this, based upon its assessment of the staff accounts of the incident and review of the CCTV footage.

56. The IFO viewed the accounts of the incident from the Supporter and those from staff at the Club that were involved in the incident. In the absence of objective proof, such as CCTV footage, it is down to the IFO to satisfy itself which version of events are more likely.

57. The IFO is satisfied that the Supporter was standing in a seated area when they were not permitted to do so, and they did not comply with instructions from stewards. The IFO acknowledges that there was an attempt by the Supporter to move the Steward. The IFO's appraisal in this regard is based upon the common ground in the accounts of the parties.

58. On the balance of probabilities, the IFO finds that the Club was entitled to implement a sanction based on the breach of the Ground Regulations and supporter charter.

59. The Club was asked about the application of the sanction matrix; the document which provides a table of offences, the list of possible sanctions that can be implemented and the period before a review of the sanction can occur.

60. The Club stated that the elements that they applied to the matrix were: *'persistent standing, conduct that compromises the safety of spectators or staff, non-Cooperation to a stewards request, aggressive behavior and assault of a steward.'*

61. The IFO has noted that the accounts provided by both parties allows the IFO to draw a conclusion that there was a breach of section 1 of the Ground Regulations in respect of the Supporter's non-compliance with the requests of the Steward.

62. The IFO has reviewed the exclusion matrix in respect of the above and consider that although the offences were not explicitly identified on the list, the Club have applied sanction number 4e) *'Aggressive language and/or behaviour'* which merits a *'1-3 match suspension through to an official club lifetime ban.'*



## Communication

63. The Club was asked about the method of correspondence.

64. The Club explained that official communication, such as the Notice of Ban would usually be sent by email and '*backed up with a letter via post.*' In this instance, the Club stated that it did not have the Supporter's email address at the time of the ban. The Supporter explained that being a season ticket holder, the Club would have held their email account on file. The Supporter provided copies of emails sent before the date of incident to the Club in respect of ticketing.

65. The Club maintain its position that the letter was posted on 8<sup>th</sup> December at 11:13, based on a staff testimonial, although it is unable to provide evidence of posting. It is unclear whether any delay could be attributed to the postal service or the Club. The Club confirmed that there was no log as such and a staff member's recollections of posting the letter formed its record.

66. It is unclear on balance if any delay in receiving the post was due to the Club. The IFO is not satisfied that this was due to the Club, rather than the postal service. Nonetheless, the Club should ensure that steps are taken to ensure that such an important document is sent via a trackable, quick method. This is critical where a supporter is banned from a specific date. **The IFO recommends that the Club should send such notices to supporters via email, or if the email address is not held, by tracked postal delivery.**

67. If the Supporter had not received the Notice of Ban letter prior to attending the match on 16 December (that they were ejected from), they would reasonably have expected to have been able to watch the match. However, given that they were subject to a ban at the time, they were removed from the match. The date stamp on the envelope which the Supporter provided in evidence raises doubt in this respect.

68. On the balance of probabilities, the IFO is satisfied that the Supporter's conduct amounted to a breach of the Ground Regulation and the Supporter Code of Conduct. The IFO therefore considers that it was reasonable for the Club to consider a sanction on this basis.

69. Having purchased away match tickets for prior to the period in which they were banned and having been unsure whether they were able to do so, the Supporter contacted the Club to see whether they were allowed to attend. In the email correspondence with the Supporter, the Club confirmed the basis of the ban.

70. The Supporter's reference to the EFL Supporter Guidance was noted by the IFO who wish to clarify that the document is meant as a 'guidance document' which can be used by clubs. The document does not bind Clubs or mandate them to act in a certain way.

71. The IFO notes that it does not have the jurisdiction to consider the safeguarding referral made by the Club in respect of the Supporter's son. The IFO acknowledges that the Supporter's son would have been impacted by their father's ejection, although the parties disagree about whether the Supporter's son would have been able to remain in the stadium. It is noted that the Club attempted to accommodate the Supporter's son. The IFO does not feel it is best placed to comment upon the

reasonableness of the Club's opinion about the Supporter's son having the capacity to remain at the stadium without their carer.

72. The Disability Liaison Officer ("DLO") stated that they *'have very regular conversations with him [the Supporter's son], with a good level of communication and understanding'*. The Club contacted the Supporter's son and explained the situation:

*'Due to his ground ban, your father will no longer be able to attend as your companion but I wanted to reassure you that we have no concerns regarding your continued attendance at the games. We will work with you, [the DLO], our stewards and any care providers to ensure that you are able to continue to attend and enjoy the games.'*

73. The Club wished to note that the Supporter's son *'continues to attend matches with other family members'*, adding: *'On the 12 March 2024, Dedicated Football Police Officer confirmed that [the Supporter is continuing to attend away matches].'*

74. The IFO notes that the Supporter's attendance at away matches is in contravention of the Supporter's sanction. The IFO feels that the Notice of Ban letter referred to in paragraph 20 could have been clearer in respect of the ban on attending away matches. However, the IFO acknowledges that the Club clarified the extent of the sanction in the correspondence referred to in paragraph 29.

## **The processes**

75. The Club's supporter charter contains a section on Club bans and appeals.

76. The document provides the basis for the right to appeal as follows:

*'Any supporter subject to a ban from the Club for a period of more than 12 months will be able to appeal the Club's decision in writing within 21 days of the date of the decision.'*

*The appeal will be considered by an appeals committee comprising of the Club Secretary and a member of the Club's Safety Team. The appeals committee will meet within 30 days of receipt of the appeal and will communicate its decision to the complainant, with a short explanation of the reasons for its decision, within 14 days of the meeting.'*

77. The IFO has noted the Club officials involved in considering the appeal. In their response, the Club said the appeal was reviewed by the Stadium Manager, Head of Ticketing and Head of Operations. The Club was asked about this. It explained:

*'The Head of Operations and the Stadium Managers are both part of the Safety Team. [The Supporter] was banned by the Safety Officer following the incident. Due to the unavailability of the Club Secretary the Head of Ticketing stepped in with a view away from the Safety aspect of the incident.'*

78. The IFO does not consider, on the balance of probabilities, that there is evidence that there was a departure from policy to an extent that caused the Supporter detriment. Were the application of the sanction less clear-cut, it may have been

reasonable to conclude that presence of the Head of Operations as a witness and member of the panel could affect the integrity of process. A recommendation around this point is made below, although it should be noted that the recommendation does not affect the applicability of the sanction for the reasons set out above.

79. However, for transparency, **the IFO recommends that the Club ensures that in future instances, those involved in the appeals committee reflect the supporter charter.**

80. The IFO assessed the Club's explanations regarding the incident, the basis of the sanction and the appeal. Referring to the EFL Supporter Sanctioning Guidance, **the IFO recommends that the Club adopts section 6.3.1 of said guidance, referring to the standard of notifying supporters about the outcome of an appeal panel decision.**

The purpose of this is to provide supporters with a transparent record of the assessment of the evidence submitted and how the Supporter's representations have been weighted.

### **Ticket refund**

81. The Club's supporter charter contains the code of conduct for supporters. It states:

*'Wrexham AFC prides itself in promoting a family atmosphere at all home and away matches. Any ticket holder found to be demonstrating racist, offensive, abusive, homophobic or any unacceptable language or anti-social behaviour will be ejected from the ground and no refunds will be given and further action may be taken...'*

It was noted that the Club stated that the Supporter's son continued to attend home matches. The ticket terms and conditions state that *'All match tickets are non-refundable, unless the time and/or date of a fixture changes after the purchase of the ticket.'*

82. However, the away match tickets the Supporter provided (for the Swindon and Walsall away matches) showed that the Supporter's tickets carried no cost, as they were 'companion' tickets. The Supporter's son's tickets carried a cost of £27 and £25, respectively.

83. The Club acknowledged that neither the Supporter nor their son attended the above fixtures and noted that a refund had been issued. The Supporter disputed that their son had received a refund of the tickets.

84. The IFO wishes to note that as the Supporter's ticket carried no cost, no refund would be due to the Supporter regardless.

85. It was noted that the Supporter was a carer for their son at football matches. The Club explained that they took steps to ensure that the Supporter's son did not miss home matches as a result of the Supporter's ban. Furthermore, the Supporter explained that they were part of a team of people undertaking the role of carer.

86. The Club has noted that the Supporter's son has continued to attend home matches in their father's absence and *'always has a companion with him'*. The IFO

wishes to make clear that its role is in respect of the Supporter, as complainant and not the Supporter's son.

87. The Club stated that the away match tickets referred to in paragraph 11 were refunded. The IFO's view is that based upon the terms and condition of the tickets that they were not refundable, although it considers that it was reasonable that the Club took a discretionary approach.

### **Summary**

88. The IFO is satisfied that the Club made its decision based upon a review of CCTV evidence, the statements from stewards involved and its records of the incident. The staff accounts and logs of the incident were reviewed, and it was noted that the evidence was broadly consistent and was reflective of the Club's position.

89. The IFO considers that the availability of CCTV generally may provide some additional transparency to the process. **The IFO therefore recommends that the Club consider the retention of evidence that is used in sanction and appeal hearings.**

90. Broadly, the supporter charter provides that ticket holders displaying anti-social behaviour will be removed from the stadium and no refunds given. Furthermore, it states:

*'Where incidents of unacceptable conduct are reported or detected and after carrying out its own internal investigation, the Club reserved the right to ban supporters for life or suspend supporters for a period of time deemed appropriate if the Club deems a supporter to be in breach of ground regulations.*

*This may include the removal of season tickets and bans from stadia for a specified period / or other appropriate actions...'*

91. Following a review of the case and the evidence from both parties, the IFO concludes that the established process was followed. The retention of the CCTV footage would have been helpful to objectively determine the unfolding of the incident, however, the Club have demonstrated that the other factors considered were the accounts from staff directly involved in the incident and the Club's logs of which the IFO has had sight. Combined with the Club's evidence, the IFO concludes that the Supporter was in breach of the Ground Regulations during the incident.

92. The IFO concludes that the sanction is one which, on the balance of probabilities, is one that that Club is entitled to impose.

93. The IFO has determined that the Club's conclusion is a fair one, based upon an assessment of the evidence surrounding the event.

### **Comments from the parties on the draft adjudication**

94. Upon circulation of the draft adjudication both parties were invited to make comments as to any error of fact. The Club provided their response, below:

*'Thank you for attached report. The Club are happy with the outcome and will review the process in line with the recommendation highlighted by the IFO. The Club wishes to thank the IFO for its thorough investigation and*

*continue to strive for safety and security of all supporters who attend matches at the Stok Cae Ras'.*

95. The Supporter responded with several comments on the draft adjudication which have, where appropriate, relating to clarifications or where the IFO believes amendments to the original are reasonable based on the submissions of the relevant party, been incorporated into the text above. These amendments or additions are addressed by the IFO in the paragraphs below. Further submissions have been made which do not relate to the factual content, either by virtue of providing commentary on the Club's submission, or on the findings of the IFO. These comments have also been considered but have not been responded to specifically within the adjudication.

96. The Supporter referred to paragraph 64, disputing that the Club did not hold the Supporter's email address. The Supporter provided new evidence which has been added to the appropriate paragraph. This has been added to the respective paragraph.

97. The Supporter identified a factual inaccuracy in paragraph 69, relating to the date of purchase of the tickets for the away matches against Swindon and Walsall. Said paragraph has been updated accordingly.

98. Referencing paragraph 83, the Supporter stated that they had no records of refunds being paid for the matches. This has been added to the paragraph. Given that the terms and conditions provide that match tickets are non-refundable. The IFO suggests that the Club consider this point internally.

## **Conclusion**

99. Whilst the Supporter's additional comments have been given due consideration, the IFO finds no grounds to uphold the case in the Supporter's favour in respect of the application of the sanction for the reasons set out above.

100. However, notwithstanding the IFO's conclusions regarding the sanction itself, the IFO makes the recommendations outlined in paragraphs 44, 66, 79, 80 and 89, above.