

IN THE MATTER BEFORE THE REGULATORY COMMISSION
OF THE FOOTBALL ASSOCIATION

BETWEEN:

THE FOOTBALL ASSOCIATION

-and-

DAX PRICE & TOMMY WRIGHT

JUDGMENT OF THE REGULATORY COMMISSION

Regulatory Commission:

Philip Evans QC (Chairman) – Independent Specialist Panel Member

Matt Wild – Independent Football Panel Member

Simon Parry – Independent Legal Panel Member

Present at the hearing on the 10 September 2021:

Paddy McCormack – Judicial Services Manager

Brian O’Neill QC - Counsel for the FA

Mr Yousif Elagab – FA

Miss Shusmita Deb - Pupil Barrister (Observing)

Mr Dax Price

Mr Graham Trembath QC - Counsel for Mr Price

Mr Chris Farnell - Solicitor for Mr Price

DS Glover - (City of London Police - observing)

Present at second hearing on the 16 November 2021:

Mr Brian O'Neill QC – Counsel for the FA

Mr Yousif Elagab – FA

John Edmunds - Judicial Services Coordinator

Mr Dax Price

Mr Chris Farnell – Solicitor for Mr Price

Venue for both hearings: Both were by Microsoft Teams video conference call

INTRODUCTION

1. At the time of the allegations Mr Dax Price (now aged 50) was a registered intermediary with the Football Association (the 'FA'). Mr Tommy Wright (now aged 55) was the assistant manager of Barnsley Football Club. Mr Wright has remained involved in Football throughout these proceedings and was until recently the first team coach of Swindon Town Football Club until his contract expired.
2. Between mid-October 2019 and mid-December 2019 both men stood trial at Southwark Crown Court in relation to allegations of bribery. Both men were convicted by the jury on the 16 December 2019 and were sentenced in January 2020.
3. Mr Price was sentenced to 18 months' imprisonment concurrent on each count, suspended for 18 months, with an unpaid work requirement of 250 hours and a curfew requirement for three months. There was no order made against him for costs.

4. Mr Wright was sentenced to 12 months' imprisonment concurrent on each count, suspended for 12 months. He was ordered to repay the £5,000 payment that he had accepted as a bribe and pay £3,000 in costs.

5. Mr Dax Price's convictions related to:
 - i. Offering, promising or giving a financial or other advantage to another person, contrary to section 1 of the Bribery Act 2010.
(Count 1 on the Crown Court indictment).

 - and,

 - ii. Offering, promising or giving a financial or other advantage to another person, contrary to section 1 of the Bribery Act 2010.
(Count 3 on the Crown Court indictment).

6. Mr Tommy Wright's convictions related to:
 - i. Requesting, agreeing to receive or accepting a financial or other advantage, contrary to section 2 of the Bribery Act 2010.
(Count 2 on the Crown Court indictment).

 - ii. Requesting, agreeing to receive or accepting a financial or other advantage, contrary to section 2 of the Bribery Act 2010.
(Count 4 on the Crown Court indictment).

7. By letter of the 4 May 2021 the Football Association notified both Mr Price and Mr Wright that they were charged with misconduct pursuant

to FA Rule E3 and that it was proposed their respective regulatory proceedings would be consolidated and heard together.

FA Rule E3.1 states:

“A Participant shall at all times act in the best interests of the game and shall not act in any manner which is improper or brings the game into disrepute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.”

8. As a result of their convictions, the evidence underlying those convictions and the consequences of their behaviour to the game of football the FA charged both with breaches of Rule E3.1.
9. The case for the FA was that Mr Price and Mr Wright, by engaging in that criminal conduct (a) did not act in the best interests of the game and (b) acted in a manner which was improper and brought the game into disrepute.
10. The FA relied on Regulations 23 and 24 of the FA Disciplinary Regulations which state that the results and findings of any other criminal, civil, disciplinary or regulatory proceedings (whether public or private in nature) in relation to the same matter “shall be presumed to be correct and true unless it is shown, by clear and convincing evidence, that this is not the case.”
11. In a letter dated the 3 June 2021 Mr Price’s solicitors indicated that Mr Price admitted the charges. He subsequently confirmed that admission at the hearing on the 10 September 2021. Mr Price requested a personal

hearing and additionally stated that he requested his hearing be heard separately from Mr Wright's. Mr Price provided a detailed statement which was also dated the 3 June 2021.

12. At the hearing Mr Trembath QC confirmed Mr Price no longer pursued his objection to a joint hearing. This was clearly a case which could and should have proceeded as a joint hearing.

13. Mr Wright replied to the charging letter on the 18 May 2021. In that reply he made it clear that he unequivocally accepted, as a result of his criminal convictions, that he had breached the relevant FA regulations. He confirmed he did not wish to have a hearing in person and he provided a number of documents setting out matters of mitigation. The Commission has considered those documents and taken all of them into account.

FACTS

14. The facts of this matter have been set out fully by the FA in its explanatory note. We do not repeat that document but have considered it in full when making our decision. The facts contained in it are not substantially challenged by either Mr Price or Mr Wright.

15. Mr Price's statement dated 3 June 2021 did contain a number of matters which on one reading appeared to challenge the factual basis of the FA's case. However, in his oral submissions Mr Trembath was very clear when he told the Commission that Mr Price does not seek to challenge the jury's verdicts, he has not appealed the criminal convictions and that he accepts he brought the game of football into

disrepute. Mr Trembath went on to make it absolutely clear that Mr Price accepted the matters in full and nothing he advanced at the hearing was intended to challenge the proper basis of the convictions or to equivocate Mr Price's acceptance of his guilt. Mr Trembath told the Commission, "he could not be clearer than to say" Mr Price's mitigation and the statement of the 3 June were intended only to put Mr Price's conduct into a proper context. The Commission did read the statement and took account of it when considering any matters of mitigation it raised and used it, as requested, to consider the context of the misconduct.

16. The Commission was provided with a large bundle of material all of which it has considered. This includes witness statements, transcripts of the various meetings, newspaper articles and other underlying evidence. During the hearing we were additionally shown some of the recordings of meetings. We also considered the prosecution's opening note from the criminal trial (which contains a full summary of the evidence available to the prosecution) and a note of the sentencing remarks of HHJ Pegden QC, the trial judge. We reminded ourselves that the trial Judge would only have made the remarks he did if satisfied of them to the criminal standard, namely that he was sure of them. The Commission has taken into account all that was said by the learned judge.

17. As the Judge said, the background to this case can be shortly stated. In 2015-2016, The Daily Telegraph investigated allegations of bribery and corruption in English football.

18. In 2016, a senior undercover journalist posed as a representative of a

wealthy sports management company and pretended to want to invest in football players in the UK. As the judge found, at that time, the co-defendant Mr Giuseppe Pagliara and Mr Price, were experienced football agents and had met four to five months earlier and had gone on to become business partners.

19. Mr Pagliara was very keen to meet the journalist after she first contacted him at beginning of May 2016 and he took Mr Price along to the resulting meeting on the 8 May 2016 in a hotel in Belgravia.
20. The Commission agrees with the Judge's finding when he said that from that very first meeting with the journalist on the 8 May 2016, Mr Pagliara and Mr Price revealed an awareness of corruption in the football transfer market and a willingness to be involved. In a series of meetings, calls, emails and texts they proposed schemes to become players' agents, place them in English clubs, maintain third party ownership of the player, and then profit from their onward sale, as well as other schemes, all to be facilitated by bribery.
21. The judge said, having heard the evidence, it could be said they boasted persistently about their willingness and ability to be involved in corrupt practices. For example, at that first meeting Mr Price said, "Between the pair of us we're into virtually every club."
22. The Commission was referred to the evidence from that first meeting during which there came a point when the undercover journalist confirmed, at Mr Pagliara's request, that she was interested in proceeding with the scheme. In the meeting Mr Pagliara and Mr Price spoke explicitly about corruption and their willingness to participate in

it:

- Mr Pagliara referred to his reputation for giving “bungs” to people. Mr Price immediately added, “That’s the trouble you see. Everyone’s getting looked after.”
- Mr Pagliara said they could “guarantee” Nigerian or Ghanaian players being fast tracked into their national teams to meet the criteria to play for English clubs, adding, “But sometimes you have to look after somebody in the FA there to get them to play for the national team.... which is what I prefer to do because it’s a quicker way” and “that’s what we do.”
- The journalist said that her colleague Terry Bishop (a freelance investigator who purported to have a senior executive role at Meiran – a sports management company) had been at FIFA until about 2010. Mr Pagliara responded, “So he’s part of the Sepp Blatter administration?”; a reference to the corrupt regime over which Mr Blatter, a former President of FIFA had presided. The journalist laughed and Mr Price said, “Oy, just the type of fool we want to work with! That’s the type of people we want to work with.” Mr Pagliara added “I won’t Google him as long as he doesn’t Google me.”
- After Mr Pagliara had left, Mr Price explained to the journalist that corruption could arise from managers’ agents also acting for players; “it’s not corruption but you know it is corruption...because obviously at the end of the day they’re just putting every deal through the manager and they’re obviously copping the money for it.” The journalist asked if Mr Price meant that the manager was getting paid to which Mr Price replied, “He’s getting back-handers, a 100%.”

23. At the second meeting on the 19 May 2021 Mr Price was at the forefront of discussions and was party to the discussion around the infiltration of the Nigerian football market. He gave examples of a football manager being “looked after” and said he was “going to do the same” describing the activity he proposed as being “almost like corruption just staring you in the face.” Mr Price also confirmed to the journalist how it was possible to get a less than excellent player into a club with the help of a friendly manager.

24. In the third meeting on the 1 June 2016 Mr Price was again central to discussions. He spoke about his relationship with Mr Pagliara and how agents operated to entice players to sign with them. He talked about the players he was managing and suggested he could put all of his players into the company. He returned to the topic of Nigeria and getting all the players there who were coming through. He said that he knew who needed “looking after” in English clubs and named various prominent individuals, emphasising that his and Mr Pagliara’s knowledge of who was straight and who was not “key.” He said that he had heard of an English club concealing third party ownership arrangements by making payments masked as “scouting and recruitment” fees when the player was sold. He said that Mr Pagliara was only “interested in getting involved in who he’s looking after money wise, ‘Who can I bung’” whereas he concentrated on signing players to their agency. He said that they both wanted to help Claire Taylor to move her project forward, especially him as he was “hungry for it.”

25. The Commission has also taken account of various passages that were pointed out by Mr Trembath which he says point to both hyperbole

and naivety on behalf of Mr Price. Mr Trembath pointed to the limited number of transactions that Mr Price had conducted as an intermediary to demonstrate Mr Price's limited experience in the market. We have taken account of that evidence in Mr Price's favour and considered it in light of the judge's findings as we have set out below. It is however clear to the Commission that Mr Price was not only a willing participant but was also a driving force in this proposed corruption. Whether or not his boasts were true, they were, we are satisfied, used by Mr Price with the aim of securing his involvement, and consequent substantial financial gain in the corrupt activities proposed.

26. The meeting and discussions with Mr Pagliara and Mr Price continued in a similar vein throughout May, June, July and into August 2016. In those meetings and the related emails, calls and texts which continued to the end of August 2016, different schemes were discussed with the undercover journalist. Primarily, and in simple terms, the aim of Mr Pagliara and Mr Price was to become players' agents, to buy players as third party owners and to put them into English clubs and profit from their onward sale. Bribery and corruption were the means by which that would happen.

27. The trial Judge found, and we agree, people who Mr Pagliara and Mr Price believed might assist with the schemes were subsequently introduced at meetings. These included Mr Wright. The first meeting with Mr Wright took place on the 8 August 2016. Before Mr Wright arrived there was discussion between the journalist, Mr Pagliara and Mr Price as to what Mr Wright could achieve for them at Barnsley FC and how that might be achieved. After his arrival there was discussion

about how Mr Wright could help and about players at Barnsley and the club's intentions for the players. On the 11 August 2016 Mr Wright accepted a £5,000 bribe, in cash, to assist in achieving the matters which Mr Pagliara and Mr Price wanted from him. There followed further discussion about a similar payment to be made later. In return, Mr Wright, gave out information about Barnsley players, encouraged players to have Mr Pagliara and Mr Price as their agents and agreed to try and enable the placement of players at clubs. Mr Pagliara and Mr Price planned for a third party to pay part or all of the transfer fee of European players who would be registered at Barnsley FC.

28. They presented the proposal at a meeting arranged by Mr Wright with the owner of Barnsley FC and other officials. During the meeting and in the presence of Mr Price and Mr Wright, Mr Pagliara concealed his identity by pretending to be an interpreter. As it turned out the owner of Barnsley FC, Patrick Cryne, was not the slightest bit interested in any unlawful, dishonest scheme or activity and due to his honesty nothing materialised from the pretense that Mr Pagliara and Mr Price engaged in.

29. On the 27 September 2016, the Daily Telegraph published a number of exposes of alleged corruption in English football. The articles were extremely damaging to the image of football. Mr Pagliara and Mr Price were named that day, and Mr Wright on 29 September. The upshot was the evidence was subsequently passed to the City of London Police. That is the evidence of the audio probes and emails and texts and the criminal prosecution brought.

Events following the Criminal Convictions

30. Following the convictions, the FA made further enquiries with a view to bringing regulatory proceedings against both Mr Price and Mr Wright. Mr Pagliara did not fall under the FA's jurisdiction.
31. On 4 August 2020 the FA invited Mr Price to attend a formal interview. Mr Price stated that he was happy to be given the opportunity to give his version of events and to arrange a suitable date for the interview. On 13 August 2020, Mr Pugh, FA Integrity Investigator, emailed Mr Price to attempt to arrange the interview.
32. On 17 August 2020, Mr Price's then solicitors asked the FA for confirmation of the legal basis for the "formal FA process" and the FA's jurisdiction, given that Mr Price was no longer a Registered Intermediary. On 19 August 2020, the FA confirmed the scope of the investigation and purpose of the interview. It was explained that the potential misconduct arose at a time when Mr Price was an FA participant and that the FA had jurisdiction to investigate matters related to a previous period of participation. The FA received no further communication from Mr Price or his representatives and so sent the letter containing the charges.
33. During his evidence at the second hearing Mr Price was asked why he did not co-operate with the FA's investigation. Mr Price stated that he had done so as a result of legal advice. He chose to accept that advice and that was his decision to make. He could have chosen not to follow the advice.

34. Following his conviction on the 19 December 2019 the FA issued Mr Price with a Disqualifying Instruction in these terms:

“In accordance with paragraph B.1 a) of the Test of Good Character and Reputation for Intermediaries (“the Test”), the conviction you have received is considered to be Disqualifying Condition for an Intermediary. Therefore, in accordance with paragraphs D.2 a) and E.1 b) of the Test, The FA hereby issues you with a Disqualifying Instruction. Your registration is accordingly suspended and you are no longer permitted to conduct Intermediary Activity (as defined in The FA Regulations on Working with Intermediaries) for the duration of the Disqualifying Condition. You may seek to register as an Intermediary with The FA once your suspension has concluded.”

35. Mr Price appealed the Disqualifying Instruction to the FA Appeal Board. His appeal was dismissed for the reasons set out in the decision of that Board which was included in our bundle. The period of disqualification as an intermediary will end in July 2025.

36. Mr Wright was interviewed by the FA on the 12 August 2020. He gave a prepared statement stating that he accepted the jury’s verdict and that he was guilty of acting to the detriment of Barnsley Football Club by receiving £5,000. He said his primary motivation was always the betterment of Barnsley FC and the Football League. If he had not been offered the money, he would have “proceeded in the same manner” because his intentions were “only to improve Barnsley FC by bringing the best players possible into the Club which would not only have strengthened Barnsley FC but also improved the Football League.” He foolishly became involved with the two agents (Mr Price and Mr Pagliara) because he “naively believed they had the capabilities to bring such talented footballers to the Championship” and was “deeply

ashamed of the conversations and meetings that occurred” when money was discussed. He wanted to be fully compliant with FA Regulations at all times and made clear at the relevant time that he and Barnsley FC would be compliant with third party ownership regulations. He had repaid the £5000 he had received and prior to that he had paid income tax on it.

37. Although maintaining the receipt of £5000 was nothing sinister he accepted his behavior was ‘stupid’ and ‘naïve’ by accepting it and lying to Barnsley FC about it. Mr Wright did co-operate with the FA investigation.

Further Hearing

38. Following the substantive hearing of the 10 September Mr Price’s solicitors sent a letter to the Commission dated the 14 September which read;

“We write further to the hearing which took place on 10 September 2021. During the hearing, Counsel, representing Our Client was asked by the Chair whether Our Client would have an issue if the current disqualifying condition was expanded to cover all football related activity. Counsel, on behalf of Our Client, responded stating that Our Client would not have issue with this. However, we would like to advise that Counsel did not seek instruction on this point and had he done so, Our Client would have advised that he would take issue with this, owing to the fact that he is regularly involved what could be described as football related activity from supporting players on a personal level to assisting with the coaching of grass roots football, and would like to continue to do so...we can confirm that Our Client is awaiting confirmation of his income and expenditure from his accountant, and we will provide you with such as soon as we are in receipt.”

39. The FA responded to this letter on the 15 September and did so again when Mr Price provided further documentation. Following the exchange of correspondence the Commission gave Mr Price the option of re-convening the hearing in order to deal with the discrete point he raised or whether he simply wished the Commission to consider the matter on the basis of the correspondence. Mr Price requested a further oral hearing. There followed considerable difficulties in finding a date suitable for all but eventually the Commission was able to reconvene on the 16 November 2021.

40. At that hearing Mr Price stated he wanted to give evidence to the Commission and he did so. He made an apology for his mistakes, told the panel he had lost his daughter as a result of his actions and described how the matter had affected him as it had been hanging over him for 6 years. He said he has suffered for what he described as his “horrendous judgment call.”

41. Mr Price said the reason why the Commission should not extend any sanction imposed to all footballing activity was because he knows a lot of footballers and he helps them with certain aspects of their life. He gave various examples of this which included counseling them, advising them in relation to racial abuse they had received and helping them with their taxes. He additionally said he had a desire to take up some junior football coaching at a club called ‘Lancing’ (although he was unsure of the precise name or spelling) where his son was playing football.

42. When cross-examined by Mr O’Neill QC he confirmed his lawyers had advised him not to co-operate with the FA investigation. He

acknowledged that nowhere in the signed statement of the 3 June does it mention his football related activity. Asked why he had not corrected the position during the hearing on the 10 September when the Commission was told something to the contrary, he said he had given instructions to his lawyers on the 10 September 2021 and at a time before the Commission had asked the question. His evidence on this point was, on its face, in direct conflict with the letter from his solicitors.

43. Mr Price was cross-examined further about the players he said he supports. He mentioned one player in particular who he agreed was someone he had previously represented as an intermediary. Despite some confusion and inconsistency in his evidence he ultimately told the Commission that he had not undertaken any such support since the date of his criminal conviction.

44. Overall the Commission found Mr Price's evidence cursory, inconsistent, confused and unpersuasive. The limited evidence of football involvement he did give was of activities which would be inextricably linked to his role as an intermediary and little more. His desire to coach junior football is no more than that, a desire. No evidence, other than that stated by Mr Price, was placed before the Commission of any actual involvement in football beyond his previous role as an intermediary.

45. During his evidence Mr Price confirmed that since his conviction he has not been dependent on football for his income. He also provided the Commission with a letter from his accountant, which confirms he is drawing an income from a company called Velo E-Scooters Ltd of

which he is a director and a person of significant control. The letter confirmed that in the *circa* nine months leading up to June 2021 he received £29,680 into his personal bank account from the company.

Findings as to Facts

46. The Commission has seen a significant number of newspaper articles and the details of extensive media coverage of this matter. That coverage, without doubt, cast a very dim light on the game of football and which were consequently extremely damaging to the game's reputation. The resulting criminal prosecution, the trial and the convictions brought further press coverage, which were very damaging to the reputation of football.

47. The learned trial judge, who was, having heard weeks of evidence, in the best position to judge, found (when referring to the Sentencing Council's guidelines) that both Mr Pagliara and Mr Price fell into what is described as the high culpability category. He found that Mr Pagliara played the leading role and then involved Mr Price having taken him along to that first meeting. The judge determined that it was both Mr Pagliara and Mr Price who in turn involved Mr Wright in the offending and that they encouraged Mr Wright to abuse his position of trust at Barnsley FC. The judge said that both Mr Pagliara and Mr Price were motivated by the expectation of "substantial financial gain." The Commission has considered all of the material placed before it by all parties and has taken account of the judge's conclusions. We agree with the Judge's findings and in particular that Mr Price was motivated by substantial financial gain. Although the Commission accepts Mr Pagliara brought Mr Price into the enterprise we conclude

that Mr Price was much more than just a willing participant. It is clear to us that he very much wanted and pushed to be involved because he saw the enterprise as an opportunity to enrich himself. As Mr Price confirmed at the hearing in answers to a question from a Commission member, he had 'Googled' Mr Pagliara before the first meeting and he was therefore aware of his history and aware that Mr Pagliara had been involved in previous corrupt practices in football. It is clear to the Commission that Mr Price went into the venture knowing precisely what he was engaging in and with whom. Mr Price's involvement in the offending behaviour persisted over a number of months.

48. In relation to Mr Wright, although the Judge found he was plainly motivated by financial gain, being the £5,000 and further a payment promised, and that he did abuse his position of trust, he also concluded his level of culpability fell below that of Mr Pagliara's and Mr Price's. This Commission agrees with that conclusion. The plan was well in place at the behest of Mr Pagliara and Mr Price a considerable time before they introduced Mr Wright. Months of meetings and discussions had taken place before Mr Wright's introduction. That said, it is also clear that Mr Wright's actions have had a detrimental effect on the image of the game.

Decision as to Sanction

49. This Regulatory Commission may impose such sanctions, as it considers appropriate having regard to the particular facts and circumstances of the case, including any mitigating and aggravating factors.

50. Paragraph 40 of Section 2 of the FA Disciplinary Regulations states a Regulatory Commission shall have the power to impose any one or more of the following penalties or orders on the Participant charged:

40.1 a reprimand and/or warning as to future conduct;

40.2 a fine;

40.3 suspension from all or any specified football activity from a date that the Regulatory Commission shall order, permanently or for a stated period or number of Matches;

[40.4 to 40.8 inclusive are not applicable;]

40.9 such further or other penalty or order as it considers appropriate.

41 In imposing penalties, a Regulatory Commission shall consider any:

41.1 applicable standard sanctions or sanction guidelines as may be communicated by The Association from time to time. A Regulatory Commission shall have the discretion, to depart from such sanction guidelines where it, in its absolute discretion, deems it appropriate having regard to the facts of an individual case (for example, where a particular act of Misconduct is sufficiently serious that the guideline sanction would not constitute a sufficient penalty for the Misconduct that has taken place);

41.2 mitigating and/or aggravating factors, to include but not limited to the disciplinary record of the Participant and other factors that may be communicated by The Association from time to time.

Suspended Penalty

42 Save where any Rule or regulation expressly requires an immediate penalty to be imposed, and subject to paragraphs 43 to 45 below, the Regulatory Commission may order that a penalty imposed is suspended for a specified period or until a specified event and on such terms and conditions as it

considers appropriate.

43 Where the penalty to be imposed is to be suspended, no more than three-quarters of any such penalty may be suspended. If the period of such a suspension is a lifetime, the non-suspended period must be no less than eight years.

51. In reaching our decision as to the appropriate sanction this Commission has taken account of all of the Judge's conclusions in reaching its decision and has great respect for those comments.

52. In reaching its assessment as to the appropriate sanction the Commission has had in mind the need for any sanction to be proportionate. In concluding what is proportionate we have taken account of the gravity of the offending as well as the effect of the sanction on both Mr Price and Mr Wright both in terms of any loss of livelihood and the personal loss likely to be caused by the sanction. We have also considered whether any aggravating features exist and have then gone on to consider all mitigation available to both men.

53. We understand that there are no guidelines for sanctions for breaches of this type and no previous matters have been drawn to our attention, which are said to be comparable on their facts. This Commission concludes that the offending here caused a very serious and lasting detriment to the image of football. There is obviously a need for the sanctions to reflect the severity of the offending, to punish and to deter others from entering into similar enterprises in order to protect the game of football from any similar behaviour in the future and to promote confidence amongst stakeholders and fans of the game.

54. We do not find that there are any stand-alone aggravating features of the offending of either man which should result in an uplift of the starting point sanction.

Dax Price

55. Having reached the conclusions we have regarding culpability and harm the Commission has reviewed and considered all of the material supplied and considered the matters of mitigation set out therein. In Mr Price's case this includes Mr Price's acceptance of guilt although we conclude that needs to be balanced against the fact that Mr Price refused to co-operate with the FA's investigation. The result was that his admissions were not made or set out in detail before the charges were notified. We do not treat that as an aggravating feature and we have taken account of Mr Price's reasons for not co-operating to some degree in his favour, but nonetheless it does in our view reduce the amount of credit he should receive for his acceptance of guilt.

56. We have taken account of matters contained in the letter dated 3 June and matters advanced on Mr Price's behalf by Mr Trembath both in reaching our conclusions as to Mr Price's culpability and when considering his mitigation. For example, Mr Trembath drew the Commission's attention to the fact that Mr Price had a limited number of transactions recorded as a football intermediary. He described Mr Price as just a low end / low-level intermediary before he was introduced to the Daily Telegraph journalist. Mr Trembath said the investigation had been ongoing for some time before Mr Price came within its scope and the journalist had not heard of Mr Price prior to

their first meeting. Although we have considered all of those factors, and others raised on behalf of Mr Price, we conclude that they provide only some limited mitigation for his involvement in this serious enterprise.

57. Mr Trembath also relied on the proposition that, much of what Mr Price said when he was engaged with the journalist, were lies. He said it was critical to assess whether what Mr Price said was true or whether it was a lie and he said that the trial judge was accurate when he commented that Mr Price boasted persistently and, as Mr Trembath submits, the boasts were not corroborated. The Commission was taken by Mr Trembath to passages of the transcripts relied in the criminal trial and the Commission was sent, and has considered, copies of relevant transcripts. In essence Mr Trembath submits that mitigation can be found in this point because it demonstrates that Mr Price had not been involved in similar practices prior to the journalist's interest, because it demonstrates a degree of naivety on the part of Mr Price and shows that his conduct was reactive rather than pro-active.

58. In addition to this, Mr Trembath reminded the Commission of Mr Pagliara's background, which distinguished him from Mr Price, and made the point that he, Mr Pagliara, needed Mr Price.

59. We accept, as the Judge found, that Mr Price was what may be described as a lower league intermediary who lacked sophistication in offending and was someone with a degree of naivety prone to exaggeration. The Judge also gave some weight to the submission that Mr Price was dazzled by the temptation of thinking there were millions of pounds to invest in English football. We have allowed

some mitigation as a consequence of this aspect of the evidence. However, although there clearly was some bravado, it was ultimately bravado that was designed to achieve Mr Price's desired end goal, namely, substantial financial gain.

60. As the trial Judge said when passing sentence, it was Mr Price's and his co-defendant Mr Pagliara's primary aim to become players' agents, buy them as third party owners and put them into English clubs to profit from their onward sale using bribery and corruption. Mr Price, he found, was motivated by "substantial financial gain". We agree with that finding.

61. We have taken account of the absence of either previous convictions or previous disciplinary matters in Mr Price's case. Prior to this he was a man of good character both in general and football terms and we have taken into account the positive character evidence that we have been provided with. We acknowledge that both the criminal and regulatory proceedings have had a significant and detrimental effect on his family relationships and that a very substantial period of time has passed since this offending happened. We have taken that period of time into account in deciding how long the period of suspension should be. Had it not been for that delay the ultimate period of suspension in the case of both men would have been substantially longer.

62. We note that Mr Price is already disqualified from acting as an intermediary until July 2025. That disqualification was, however, effectively automatic and consequent on the sentence he received from the Crown Court. The disqualification does not operate as a punitive sanction. We consider that our consideration of the sanction to be

imposed for this matter is a separate question from the disqualification. It is one which must reflect not just the fact of a criminal conviction and sentence having been imposed, but the wider, serious and specific consequences of the offending and its effect on the game of football.

63. We take the view that in Mr Price's case there must be a suspension from all football activity and that given the severity of his offending we feel that suspension must be a lengthy one. We remind ourselves that this is a case concerning corruption and bribery, which ultimately is criminal activity striking at the roots of integrity within the game. Taking account of all of the matters set out above, we think the appropriate starting point for his offending would be one of 15 years suspension from all football and football-related activity. In his case, however, we have reduced that period as a result of the time which has elapsed since the offending, and we have additionally reduced the period to reflect the mitigation we have listed, including for his acceptance of guilt. We therefore arrive at a period of 9 years suspension from all football and football-related activity to run from the 16 November 2021 which was the date of the second hearing in this matter.

64. We have no doubt that the costs to the FA of these proceedings have been very substantial and would far exceed the order we make. Mr Price exercised his right to have the proceedings heard in person and requested a second hearing which was also his right. We have considered the limited financial documentation and evidence he has provided in response to the FA's and the Commission's request to provide details of all his income and expenditure. We take the view he has some income but accept that it is limited. We conclude it would be

wrong for us to order that he pay all of the costs but we are satisfied that he should contribute £1000 towards the costs of these proceedings which is to be paid within the next six months. If not paid that sum will increase by 25% to £1250 and additionally there will be an indefinite concurrent suspension if not paid within a further 3 months of the 25% penalty.

Tommy Wright

65. In relation to Mr Wright, when sentencing him, the Judge found that he was motivated by financial gain and that he had abused his position of trust. He did however conclude that his culpability fell below Mr Price's and Mr Pagliara's. We agree with those conclusions. Importantly, in Mr Wright's case only, HHJ Pegden QC made a point of expressing the "court's hope" that Wright could continue to work with young people at Swindon Town FC and that The FA would bear that aspiration in mind. The Commission has done so.

66. Mr Wright's activity remains serious and it also had a serious detrimental effect on the reputation of the game of football.

67. Mr Wright did co-operate with the FA's investigation and it was clear from an early stage that he accepted the FA's charges. We have taken that co-operation and earliest indication fully into account

68. Mr Wright was also a man of previous good character, both in general and football terms. The Commission also accepts that in his case, he has demonstrated a genuine level of remorse and a real embarrassment for his actions. He has demonstrated an understanding of the effect his

behaviour has had on the game at large. We have been provided with a large amount of extremely compelling evidence as to his character, the effect to these proceedings on him, on his health and on his family. We do not repeat the detail of all of that mitigation here but suffice to say we found it genuine and compelling and have taken it fully into account in his favour. Prior to this offending Mr Wright was an extremely respected member of the footballing community. Even after his conviction his ability as a coach was so valued that a club was prepared to continue to put its faith in his abilities as a coach despite his convictions. That role continued until recently when we understand his contract expired. We recognise it is unlikely that Mr Wright will ever be able to fully rebuild his reputation within football and that will be a great loss to him.

69. It is noteworthy that Mr Wright has, since his offending, been allowed to continue in football as a coach. We understand that is because there was no power to prevent him doing so. Whilst that may be the case there have been no reports to this Commission that Mr Wright's continued involvement has caused any further embarrassment to the FA or to football. Indeed, it is testament to his abilities and to his previous reputation that he has been able to continue coaching and we echo the judge's desire that if Mr Price can continue to benefit youngsters in football then he should be allowed to do so.

70. We have concluded that in Mr Wright's case there should be a suspension from his taking part in the type of activity which led to this offending and that that suspension should be for a significant period of time. However, having taken account of all of the matters set out above we do not feel it is necessary to prevent Mr Wright from

engaging in coaching on either an amateur or professional basis. That is the overall intention of the sanction set out below.

71. There will therefore be a suspension from all football and football-related activity other than coaching and matters directly related to the conduct of coaching. Again, taking into account the severity of his actions and their effect on football as a whole we take the view that the starting point would have been for a period of 12 years. In Mr Wright's case, however, we have also substantially reduced that period as a result of the time which has elapsed since the offending, some of which has been through no fault of his, whilst awaiting the personal hearings concerning Mr Price to be concluded. We have additionally reduced the period as a result of the substantial mitigation we have listed above including his admission of guilt and full co-operation. In Mr Wright's case we reduce the suspension to one of 6 years suspension from all football and football-related activity, save that he will be permitted to work as a coach and undertake only activities directly related to the day-to-day task of coaching. This suspension will run from the 16 November 2021.

72. We do not intend to list all matters, which Mr Wright can and cannot undertake as we take the view that our intention should be clear to the FA, to Mr Wright and to any future employer from what we have set out. However, for clarity this suspension means that, for example, Mr Wright cannot engage in any activity involving intermediaries, he is not to engage in any business related to transfers or associated decisions or advise any party on such matters. He is to have no role in any business relating to a player's joining or leaving a club or their contracts. He is to have no role in the running of any club or its

financial dealings. He is not to provide any advice to players regarding their intermediaries or their contracts. If Mr Wright takes up employment as a coach he is responsible for ensuring that the FA is provided with written confirmation from his employer that the employer understands the terms of this suspension.

73. Mr Wright accepted the charges and did not seek any personal hearing and did not challenge any aspect of the FA's case. We have also seen evidence regarding his financial situation. In all of the circumstances we do not think it appropriate to order him to pay any costs.

Conclusion

74. Therefore, the Commission determines that the following sanctions shall apply:

- a) Mr Dax Price shall be suspended from all football and football-related activity for a period of 9 (nine) years effective from 16 November 2021;
- b) Mr Dax Price shall make a contribution to the costs of the Regulatory Commission in the sum of £1,000 to be paid as set out above;
- c) Mr Tommy Wright shall be suspended from all football and football-related activity, save that he is permitted to work as a coach and undertake only such activities as directly relate to the work of day-to-day coaching, for a period of 6 (six) years

effective from 16 November 2021;

d) There shall be no order as to costs in Mr Tommy Wright's case.

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

Philip Evans QC – Independent Chairman of the Regulatory Commission.

26 November 2021