

FA NATIONAL SERIOUS CASE PANEL

DISCIPLINARY COMMISSION

*on behalf of the Amateur Football Alliance*

PERSONAL HEARING

*of*

**Mr Callum Hopkins**

Alleyn Old Boys FC

[Case ID: 10846441M]

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THE DECISION AND REASONS OF THE COMMISSION

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## Introduction

1. On 26 February 2022, Alleyn Old Boys FC (“Alleyn OB”, the “Club”), played an SAL Senior Section Division One fixture against West Wickham FC (“Wickham”) – collectively the “match”.
2. Following the fixture an e-mail was sent to the Amateur Football Alliance by Mr Jack Doyle, Secretary of West Wickham FC regarding the alleged misconduct of Mr Callum Hopkins of Alleyn Old Boys FC.
3. The Amateur Football Alliance (“AFA”) investigated the reported incidents.

## The Charges

4. Mr Callum Hopkins was originally dismissed for S1 Serious Foul Play during the fixture for the offence. Following contact from Mr Jack Doyle of West Wickham FC, the AFA reviewed the charge; due to the severity of the injuries caused, they considered the sanction for the dismissal as insufficient. Having sought advice from the Football Association, on 01 June 2022, the AFA charged Mr Callum Hopkins:
  - 4.1. with misconduct for a breach of FA Rule E3 – Assault by Participant on Participant, **Charge 1**;
  - 4.2. with an alternate charge of misconduct FA Rule E3 - Improper Conduct (including violent conduct and threatening and/or abusive language/behaviour) **Alternate Charge**;
  - 4.3. It is alleged that Callum Hopkins used violent conduct contrary to FA Rule E3.1 and it is further alleged that this constitutes Assault by a Participant on another Participant as defined in FA Regulations. This refers to the allegation that Mr Hopkins caused a comminuted fracture dislocation of the right condyle and a temporal fossa fracture extending into the anterior bony ear canal (or similar) to his opponent Mr Sam Murray of West Wickham First.

- 4.4. Amateur FA advised in the charge letter that the range of sanction for **Charge 1** was a suspension from all football activity for a period of between 140 days and 5 years, with a mandatory minimum of 140 days; a fine of £150.
- 4.5. The charge letter further informed Alleyn Old Boys FC that Mr Hopkins, due to the serious nature of the offence, is immediately suspended from all football and football activities from 01 June 2022 until the case has been dealt with by the Association.
- 4.6. The relevant section of FA Rule E3 states<sup>1</sup>:  
*“E3.1 A Participant shall at all times act in the best interest 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.*
5. The AFA included with the charge letter the evidence they intended to rely on in this case.
6. Mr Hopkins was required to respond to the charge by 08 June 2022.

### The Reply

7. There was a response to the charge on 01 June 2022 included in the case bundle in the form of a screenshot from WGS which shows the charge is Denied and requesting a Personal Hearing.
8. During the investigation, evidence was submitted from:
  - 8.1. Participant Misconduct report from the fixture dated 26 February 2022 and evidence from WGS of the initial charge;
  - 8.2. Statement from Mr Jack Doyle, Secretary of West Wickham FC dated 23 March 2022;

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<sup>1</sup> p. 124 of FA Handbook

- 8.3. Photograph of a Hospital Letter regarding the injury;
- 8.4. Two photographs of Mr Sam Murray's injuries.
- 8.5. Statement from Mr Sam Murray, player allegedly assaulted dated 22 March 2022;
- 8.6. Four Further statements from West Wickham FC;
- 8.7. Three statements from Alleyn Old Boys FC;
- 8.8. Mr Dave Buck Match Referee, observations on the incident dated 25 March 2022;
- 8.9. Additional statement from Mr Callum Hopkins, undated.

### **The Commission**

9. On 16 June 2022 the FA appointed the following members of the FA National Serious Case Panel, as "the Commission" to consider this case.
  - 9.1. Mr Steve Francis (Chair)
  - 9.2. Mr Martin Hill (Wing Member)
  - 9.3. Mr Roger Gell (Wing Member)
10. Mr Ravel Cheosiaua, a National Serious Case Panel Secretary, was appointed to carry out the role.

### **The Hearing and Evidence**

11. The case bundle was sent via e-mail to the appointed Commission 17 June 2022 for their consideration.
12. The following is a summary of the principal submissions provided. It does not purport to contain reference to all the points made, however the absence in these reasons of any particular point, or submission, should not imply that we did not take such point, or submission, into consideration when we determined the

matter. For the avoidance of doubt, we have carefully considered all the evidence and materials furnished with regard to this case.

13. The written evidence submitted in the case bundle begins with the Participant Misconduct form from the fixture; this shows Mr Hopkins was dismissed for S1 – Serious Foul Play. There were also four other cautions, two for each side all for C1 Unsporting Behaviour.
14. The screenshot from WGS shows case 10731238-S detailing the suspension of 3 matches due to commence on 05 March 2022.
15. The e-mail from Mr Doyle to the AFA contains the following information;
  - 15.1. Mr Doyle begins noting the player Mr Sam Murray is recovering slowly with a *“serious and long-term injury”*. He raises a concern the referee has not reported the severity of the incident in his match report and asks if this has since been submitted. There is also a reference to the additional evidence they have supplied before stating *“This a serious complaint and one which I hope is not taken lightly “*.
  - 15.2. Mr Doyle provides some context which he believes adds context to the incident and refers to a previous fixture between the teams three weeks prior to the match which *“was extremely ill tempered in which one player was sent off looking to injure Sam in a tackle and then causing a fracas with other players from West Wickham. Following, this he was sent off for his actions”* However, the player then went on to *“verbally abuse supporters on the side line, threatening physical violence as well to a point where he needed to be restrained by his own players”*.
  - 15.3. The same player was then shown a second red card to get him to leave the field of play and he believes *“The ill feeling was clearly aimed towards Sam following this incident”*. Following the fixture *“several Alleyn’s players who went onto send unsavoury messages via third parties on social media. Sam also had raised concerns to friends the week of the 2nd game in which he believed he was going to be targeted by Alleyn’s players”*. Mr Doyle adds *“I believe this is*

*crucial to understanding the atmosphere of the 2nd game. And what then happened to Sam little over halfway through the 1<sup>st</sup> half”.*

- 15.4. Mr Doyle concludes *“To say the behaviour of the Alleyn’s team across these fixtures was deplorable is an understatement, but the incident in which Sam was injured was nothing short of a disgrace and the worst I have seen on a football pitch in 20 years of playing football. I urge you to act quickly. Furthermore, with the fact we are due to play Alleyn Old Boys this week in a league fixture I would strongly advise the player involved in this incident should not be available for selection due to the gravity of the allegation against him”.*
16. The hospital letter is from the Department of Oral and Maxillofacial Surgery at King’s College Hospital to Dr Roy (Mr Murray’s GP); this is written by Dr Hitesh Bansal (CT1) of the department. The letter confirms the extent of the injuries as follows;
- 16.1. *“displaced comminuted fracture dislocation of the right condyle”* adding it was sustained during the fixture above;
- 16.2. It includes the belief of Mr Murray he was elbowed, the injury was diagnosed by a CT scan which also found *“a temporal fossa fracture extending into the anterior bony canal”* which will be followed up by Ear, Nose and Throat (ENT) Surgeons.
- 16.3. Mr Murray also suffers from *“reduced mouth opening”* and is having a *“soft diet”* although the pain is being controlled. The limits of his ability to open his mouth when examined was 20mm and up to 30mm when forced. The *“soft tissue is intact. He is fairly tender at his right TMJ [temporomandibular joint] however has good lateral excursion and sensation is normal”.*
- 16.4. Mr Murray is due to return to the clinic within a week and is planned to continue a soft diet.
17. The first picture of Mr Murray appears to have been taken in the Hospital on the day of the fixture and he has a bloodied right-hand side of his face and on his shirt. There is a dressing in his right ear to reduce blood flow and a padding in

his mouth. The second is after he has been treated showing a dressing over his right ear and around his head, possibly taken at his home address.

18. The statement from Mr Sam Murray contains the following information;
  - 18.1. He begins noting the game was in the first half and they were trailing 1-0, during play he was preparing to *“clear the ball further down the field with a header. I was facing the West Wickham penalty area and planning to head the ball 180 degrees in the direction of the opposition half. This was my last clear memory before the incident”*. He does not recall anyone close to him prior to the incident and he thought he would be able to clear the ball unchallenged.
  - 18.2. He then adds *“My next memory is regaining consciousness to a frantic scene, with lots of concern and panic going on around me as I was laying on the floor. I could see my manager (Andy Foster), and one or two others looking over me with considerable worry. My head was ringing, and I couldn’t hear anything out of my right ear. At this point, I put my hand to the affected ear and realised that I was bleeding substantially from this ear and my arms and legs were covered in blood - it became apparent that this was likely the cause of concern for those around me. I also put my hand in my mouth to realise that a number of my teeth had also been broken in the force of the tackle and that my jaw was very sore”*.
  - 18.3. The sight of his own blood did cause him further panic and he felt he may lose consciousness *“a number of times”*. There were attempts to stem the flow of blood and an ambulance was called; due to an extended waiting time *“a spectator driving their car onto the field of play and offering to take me to the hospital. I was placed in the car and travelled to the Princess Royal Hospital with two spectators where I was seen immediately for skull and brain scans due to the concern caused by the substantial bleeding from the ear. Following these scans, it was confirmed that the opposition tackle had broken and dislocated my jaw and caused a puncture to my ear canal”*.
  - 18.4. He has since returned to the medical specialists’ multiple times and he *“first visited the maxillofacial unit at King’s College Hospital two days after the*



*incident as the doctors wanted to allow time for the facial swelling to go down before referring me to the specialists. At this visit, the swelling was still quite severe, and I could only open my jaw a very limited amount (20mm). The doctors decided to take no further action at this point”.*

- 18.5. He then notes ongoing visits including one two weeks later that *“my bite was considerably off set and a series off braces were fitted within my mouth that I would need to wear for the next five weeks. The hope is that this will allow my jaw to return to a slightly more normal bite in the future, with the hope that physiotherapy will also allow it to reach a level where I can speak and eat at a normal level moving forward. The broken/dislocated jaw has also meant I am only able to eat soft foods for at least a six-week period, causing me to already lose around 5kg of weight”.*
- 18.6. Regarding the injury to his ear, he went to the ENT specialist three days after the incident and he adds *“I had been wearing a head bandage for this period and there was still a large amount of dried blood in and around the ear. The concern with the ear at this point was my ability to hear. When breaking the jaw, the broken bone had punctured the ear canal and caused the excessive bleeding”.* On 24 February he had a hearing test at the hospital which showed the right ear *“was operating at 20% of that in the left ear”.*
- 18.7. This caused further distress regarding a possible permanent loss, on 14 March 2022 he *“returned to the PRU for another check-up and hearing test. Following a cleaning of the ear, the hearing test had improved since my first visit and was approaching normal levels once again”.* Mr Murray concludes noting *“at the time of writing, nearly a month since the incident, I am still unable to eat normal foods, sleep on my affected ear and I am taking pain killers on a daily basis to combat the ear and headaches that are still present”.*
19. The next statement from Mr George Maw a player for Wickham dated 22 March 2022 notes the following information;
- 19.1. Mr Maw also notes the first fixture between the two teams and describes it as a *“tensions were still high going into this game, and several very strong*

*challenges had been put in by both sides in the early minutes. From my point of a view as a player, this could have been calmed down by the ref showing a few early cards to settle both sides down”.*

- 19.2. He continues on to the incident in question which occurred around the 30-minute mark when, having already committed a few “heavy challenges” by Mr Hopkins he states “the ball came to Murray in the air, he turned his body in the air to flick the ball on with his head. The defender, roughly 10 yards away, was clearly never going to win the ball, but knew he could “leave one on him”. He ran at full speed and jumped with arm, elbow and pretty much the full force of his body in an attempt to hurt Murray. Murray, turning and unaware of the defender approaching him, was caught completely unaware by this”.
- 19.3. As Mr Murray was not aware of the challenge coming in “he had no time to brace his body and try and protect himself in anyway. The defender made full contact with him in the air, also proceeding to land on his head and worsen the blow. Immediately, I assumed he was out cold, but then he started groaning and blood started pouring from his ears and nose. At this point I was unable to stay any closer due to the distress it caused me, and credit must be given to Andrew Foster and those who offered him immediate assistance”.
20. The next statement is from Mr Andy Foster the Manager for Wickham on the day, on 23 March 2022 he stated;
- 20.1. He notes the time was shortly before half time, Mr Murray was on the halfway line and preparing to head the ball; Mr Foster was 5 yards away with a clear view. As the ball arrived “towards Sam at around head height the Alleyn’s player, whom I believe to be Callum Hopkins (“Callum”), ran at pace to smash Sam to the ground using the full force of his body. Sam was facing towards our goal and so had no chance of anticipating the challenge, whereas Callum (who I would guess is 3 stone heavier than Sam) was running at pace and had full sight of Sam and the ball”.
- 20.2. Of the challenge he notes it was “extremely forceful and in my opinion amounts to assault. There is no question in my mind that Callum entered the

*challenge with full intention of injuring Sam. No genuine attempt to play the ball was made. Instead, Callum simply flattened Sam. The noise made on impact alone was horrific". Mr Foster likens the challenge to "someone being hit by a bus whilst looking in the other direction. To repeat, Sam was entirely stationary and facing away from Callum. Callum a much heavier player ran from approximately ten yards away to completely flatten him".*

- 20.3. He has little doubt that *"Sam was unconscious prior to hitting the ground. Sam's head then hit the ground with force and Callum landed on top of him (although I cannot attribute any deliberate blame to Callum for this part of the incident, save for the fact that it would not have happened if the challenge wasn't made in the first place)".* The injuries to his player came as no surprise to him and when he entered to treat Mr Murray, he found him *"concussed and without any idea as to where he was or what had happened. His ear was pouring with blood and his jaw was displaced. I called an ambulance to treat him but they could not arrive for 40 minutes and so cancelled it in favour of a trained firefighter (who happened to be at the game) to take him to hospital".*
- 20.4. He had concerns over the amount of bleeding from the ear and feared it was the result of a brain injury or had suffered a serious neck injury; he dreads to think what would have happened if there was not trained medical staff at the game. Mr Foster adds *"my father who is in his 70s and was at the game, said that it was the worst challenge he had seen on a football pitch in a lifetime of watching football. My girlfriend who was also at the game was in tears and said that she never wanted to attend another game of football as she found the incident so traumatic".* In conclusion he states *"Sam is facing life changing injuries".*
21. The next Wickham statement is from Mr Joe Kelly, a player for Wickham dated 22 March 2022 and includes the following;
- 21.1. He saw both players running forwards to challenge for the ball and *"It was very clear from the outset that the West Wickham player was going to reach the ball and jump to head it forwards significantly before the AOB player would*

*be able to do the same". He believes in spite of this "the AOB player committed excessive momentum and force into the challenge, and also appeared to jump leading with one of his knees raised in an unorthodox fashion. He subsequently collided with the West Wickham player who, as expected, had reached and headed the ball far earlier, but was still airborne and therefore not balanced or braced for such an impact".*

- 21.2. He continues describing the challenge as *"the most reckless, out-of-control and dangerous challenges I have witnessed first-hand in almost 20 years of playing organised football, and I can confidently say I reached this conclusion in the immediate 20-30 seconds following the challenge, even before seeing the sickening head injury to the West Wickham player which it caused"*.
22. Mr Oliver Clarke, Captain of Wickham on the day also submitted a written statement dated 22 March 2022 which details the following;
  - 22.1. He notes the match had been *"littered with fouls with our winger Sam Murray targeted a lot"* and appeared to him to be a tactic to try and stop Mr Murray after the events from the previous fixture. He continues *"About 30 minutes into the game the ball had gone up into the air, near Sam, who looked up into the air gave a small jump and had his leg out with the intention to bring the ball down. At the height of the ball being in the air over him, the Alleyns defender came charging in and leapt up in the air, back turned, and clattered into Sam's head with his backside/upper thigh it seemed. Sam, as a result was knocked onto the ground heavily, his head hit the ground and the defender then landed upon Sam's head"*.
  - 22.2. He immediately rushed over and noted his player was unconscious with *"blood pouring out of his ear and he struggled to get up and gain real consciousness"*; he found this experience quite harrowing. He notes players surrounded the Match Official but the referee *"collected himself and ignored all players talk and produced a straight red card and stated the reason was for serious foul play/dangerous play"*. He also confirms the treatment for Mr Murray and the subsequent entrance of a car onto the field of play to

transport Mr Murray to hospital. Although the game continued he found it difficult following the events.

23. The next inclusion on the case bundle is an e-mail dated 30 March 2022 from Mr Max Waters of Alleyn Old Boys FC which contains three statements from his team. They begin with that of the participant charged, Mr Callum Hopkins;

23.1. Mr Hopkins statement in full notes *“A ball came over from the West Wickham goalkeeper from their left-hand side and it was in the air as I went to contest for the header. Sam & I both had our eyes on the ball and as we jumped Sam went underneath my body in the air and I then landed on him when we both came down. Unfortunately, the way I landed on Sam caused quite a lot of impact and I went straight over to him to make sure he was ok. The incident was a really unfortunate accident and I have since contacted Sam directly to apologise for the injuries caused, I also tried to go straight to see him in the A&E ward after the game but couldn’t find him.”*.

24. The next statement from Alleyn Old Boys is written by Mr Ben Chapman, who was a player in the fixture, he adds the following;

24.1. He states he had a clear view of the incident and *“can honestly say this was a total accident and really unfortunate landing, which resulted in injury to the West Wickham player”*. His *“first-hand account”* is as follows *“From my position on the pitch, playing left-back, alongside Callum – watched the ball get kicked out from the West Wickham keeper towards the half way line. As the ball dropped about 6 yards from me, I could see Callum rising for to head the ball – with eyes firmly fixed on the ball in the air. The West Wickham player, who was ahead of him and had eyes on the ball, was also trying to judge the landing of the ball – taking steps back as a natural movement for contesting a goal kick – and then planted himself ready for the ball to land”*.

24.2. He believes this movement meant his player *“who was watching the ball in mid-air, unintentionally collided with the player at an awkward height (in any other scenario – the referee would have stopped play to check both players were ok). The player fell forwards onto his front, and Callum fell awkwardly and*

*unbalanced, directly onto the player. At the height and considering the initial contact between the players, there was no way Callum could have avoided his landing – with the weight of his body accidentally falling onto the players head, resulting in a nasty injury”.*

- 24.3. He concludes noting that both sets of players were concerned with the injury to the Wickham player and *“Both Callum and I contacted the player in the following days to check on him and to wish him a speedy recovery”.*
25. The final Wickham statement is from Mr William Goldsmith, playing central midfield in the fixture, he recalls the following;
- 25.1. He too had a clear view of the incident and notes *“the ball was coming from the West Wickham half into AOBs half and was in the air to be won as a header, Calum Hopkins contested the header against the West Wickham player. Due to the ball coming towards AOBs half Calum had a run up to win the ball and solely had his eyes on the ball to win it. He went up for the header rose high and won the ball against the West Wickham player”.* He adds *“it was 50/50 to be won”.*
- 25.2. He notes Callum won the ball and *“did collide with the opposition player. Unfortunately, due to Calum running onto the header and leaping first and high he won the ball and the player hit Calum, this was the first impact. Due to this both players couldn’t land on their feet and the West Wickham player hit the ground first. Calum then landed on the West Wickham players head with all his weight. Which is what caused the awful injuries to the West Wickham player”.*
26. The next entry in the case bundle is an e-mail from Mr Dave Buck, the appointed Match Official dated 25 March 2022; this is in response to a request for his observations on the incident from the AFA dated 10 March 2022, and adds the following information;
- 26.1. He confirms he dismissed Mr Hopkins for a reckless challenge adding *“The player launched himself at the ball, with total disregard for anybody else. He did head the ball but collided with a West Wickham player, causing a serious injury”.* He notes the Wickham player was hit in the head and was landed on by Mr Hopkins and *“I could see blood pouring from his ear. The player was*

*rushed to hospital in a club officials' car". He adds he was later contacted by Wickham to inform him the player had suffered a "broken jaw and perforated ear drum".*

- 26.2. When thinking back to the fixture he has no memory of the two players arguing but was aware *"the teams had played each other in a cup match a couple of weeks before and there were a few problems (I had a text from Alleyn Old Boys regarding red cards and heard comments from West Wickham club officials), maybe there was some bad blood carried over from that game, certainly I have officiated both teams on many occasions and was expecting a competitive game, but this was far harder"*.
- 26.3. Regarding if he believed there was intent to hurt the player he states *"am sorry but I cannot answer the question. I had no indication that this was going to happen, the temperature was high, but player in question has not shown any noticeable aggression, but the challenge was extremely reckless and the red card was totally justified"*.
27. Upon receiving the charge from the AFA, Mr Hopkins added a further statement in response, this adds the following;
- 27.1. Mr Hopkins opens noting his first statement was related purely to the game, he would like to add how the incident has impacted him personally as, outside of his immediate family and friends he does not think anyone is aware. He adds that *"Sam's injuries and trauma have been on my mind every day since the incident, I understand the West Wickham team, Sam and his family are probably not interested in how I feel, but I need them to know how sorry I am that these injuries occurred in a football match when I landed on him. I have been absolutely distraught and beside myself about this and have only felt terrible since it happened, nothing else, which has really affected my mental stability, this might not mean anything but I speak from the heart when I write these words"*.
- 27.2. He continues stating he has been involved in football from an early age including representing his county, he has been with Alleyn for 7 years, has run the second team for three of those years and is now a joint

player/manager with the first team. He concludes by adding *“Throughout my entire football career, I have never set out on a football pitch to hurt anyone, it is not in my nature it never will be. I play the game to win like we all do and never have had a violent conduct or any records in my private life. Thinking that I am positioned as someone who wants to inflict injuries like this on someone in a football game has harrowed me, no matter how big a game it is, it has never been a thought that has ever crossed my mind”*.

28. That concluded the relevant written evidence in the case bundle.
29. The Hearing took place on 21 June 2022 at 1830 with the following attendees, the witnesses for the AFA were;
  - 29.1. Mr David Buck, Match Referee;
  - 29.2. Mr Sam Murray;
  - 29.3. Mr Andrew Foster.
30. Mr Hopkins was in attendance with the following witnesses;
  - 30.1. Mr Billy Goldsmith;
  - 30.2. Mr Ben Chapman;
  - 30.3. Mr Jan Skonieczki;
  - 30.4. Mr Max Waters was also in attendance in the capacity as an observer.
31. The Commission began at 1830 hrs, the Chair elected to have Mr Sam Murray as first County Witness to minimise any distress revisiting the events of the day may cause. When questioned Mr Murray stated;
  - 31.1. Mr Murray began by noting he had highlighted the extent of the injuries to the AFA as he felt the punishment for the dismissal was insufficient and was *“not a suitable deterrent”* and he wants to prevent anyone else from experiencing what he has been through. He is recovering from his injuries however he is unable to eat properly on the side of the injury which can only be rectified with major surgery which the surgeons have advised



against. He is also unsure as to what level of football he would likely be able to play again, also due to the injury suffered.

- 31.2. He also noted this was not the first time that Mr Hopkins had caused significant injury to an opponent and cited other occasions including a wound requiring 40 stitches and a broken ankle. He confirmed he still has no recollection of the incident; he remembers awaiting the ball and then being aware of a commotion around him. After the incident he did note Mr Hopkins contacted him and sent his apologies for the incident which he appreciated.
  - 31.3. When asked if he had any questions for the witness Mr Hopkins stated he did not but did use the opportunity to offer his sincere apologies for the accident adding *"I am so deeply sorry, the last three months have been tough and I have thought about it a lot and I am glad you are on the mend"*. Mr Murray thanked Mr Hopkins for the apology.
32. The next County witness was the Match Official Mr Dave Buck, under questioning he added;
- 32.1. He confirmed the warnings before the game due to the recent fixture between both teams, he did add of the challenge *"when going for the header he was an awful long way back and running to get the ball, he jumped 45 degrees upwards and did win the ball but with considerable recklessness"*. He confirmed Mr Hopkins was in the air but could not confirm if Mr Murray was. He added *"the impact was horrible, the contact with his head was forceful and then they landed on each other"*.
  - 32.2. When asked if Mr Hopkins went through the back of Mr Murray the referee stated *"in my opinion yes, he caught him with either his elbow or hip, it was not a straight elbow"*. After the incident Mr Buck noted Mr Hopkins showed concern for his opponent and that his teammates felt the red card was harsh as he had won the ball but he left without any arguments.

- 32.3. Mr Buck confirmed he had been told about the possibility of *“bad blood”* following the previous fixture but only had one yellow card prior to the incident, he has officiated both teams fairly regularly and they are usually competitive but fair. There was nothing previous in the fixture to suggest there was any frustration or it was building up to the event. He did confirm he would have sent Mr Hopkins off regardless of the extent of the injury. He gave himself a bit of thinking time before the dismissal which only made him feel that *“the card got redder”*.
- 32.4. When questioned as to which part of Serious Foul Play the card was issued for Mr Buck noted *“it was extremely reckless, he had no control of the challenge and also a little bit of endangering the safety of the opponent”*. Mr Buck adds he officiated the return fixture two weeks later and it was played in a good manner with nothing serious taking place.
- 32.5. Mr Hopkins had no questions for Mr Buck.
33. The next County witness was Mr Andrew Foster, when questioned he noted;
- 33.1. He was *“extremely close to the incident, it was 5yds from where I was Sam was facing his own goal keeper, Callum came charging towards him, Sam turned as the ball approached and was stationary with Callum running and flattened Sam with the force of his whole body”* before adding *“I don’t recall an aerial challenge, may have been off ground, he went through him and several parts made contact, torso made contact not leading with the elbow or knee, more of a body check”*.
- 33.2. After the incident they were on the floor, the referee left him to deal with his player and *“almost immediately issued a red card”*. This was shortly before half time and when they left the field *“Callum apologised and asks for Sam’s number to be able to get in touch with him”*. Mr Foster then added *“there was no need to challenge, I was shocked at the brutality and genuinely feel there was no attempt to win the ball”*.

- 33.3. He also noted the speed of Mr Hopkins as *"faster than a jog not absolutely sprinting, he would know Sam was there but Sam had his back to him and was not aware, maybe for a split second as he turned just before the contact"*. When asked to describe the contact he replied *"the sound was a huge whack with the full force of his body shocking to witness, Sam was stood still and hit with full force"*. When asked about intent for the challenge Mr Foster felt *"it is inaccurate to call it a challenge, he would have been aware he was there"*. He also did not think Callum could get the ball without going through his player. He does believe Mr Hopkins landed on Sam's head was accidental. Regarding the previous fixture Mr Foster felt this game was much better.
- 33.4. Mr Hopkins had no questions for the witness.
34. That concluded the witnesses for the County FA, Mr Hopkins, as participant charged then gave his testimony as follows;
- 34.1. He began stating *"As I said on the statement, the ball was from the goal keeper and in the air to be won, I went to go and win the ball, no malice, my eyes were on the ball. Sam did not jump, I won the ball and impacted him when I landed on Sam with my hip, it was very traumatic but I made sure he was okay"*. He always felt he would win the ball and was focussed on the header, the ball was there to be won and was my only intention, as he is slightly bigger than Sam, he feels that was a contributory factor in the injuries sustained.
- 34.2. When asked about the alleged animosity towards Sam with a player being sent off previously for a challenge on him and the alleged comments on social media he added *"it was nothing to do with me, he was against the two centre midfielders, I was not aware of the posts and was not involved"*. Of Sam he notes *"he is very quick and wants to get on the ball"* although he noted he could not comment if Sam was one of West Wickham's better players.
- 34.3. He is normally player manager for Alleyn Old Boys but was late on the day but usually helps out if needed as he did *"run the second team for a few seasons"*. He only knew Sam through football and was not known to him socially. He was asked if both players were jumping for the ball which *"on*

*recollection I was looking at the ball not Sam I was off the ground and went up to win the ball Sam backed into the header and I went over the top, the injury happened when I landed on him on the floor".*

- 34.4. After the incident his first port of call was to check on Sam and the injuries were "traumatic" there were comments of red or yellow in reference to the card to be issued. He was gutted at being sent off and wanted to carry on playing but "was not really in a state to do so as I was worried about Sam". He recalls his team mates commenting the red card was harsh but his mind was elsewhere. In hindsight he feels it is hard to state if it should have been a red card and overall, it was unimportant in relation to the events.
35. The first witness for the participant was Mr Jan Skonieski, there was no written statement provided in the case bundle, when questioned he added;
- 35.1. He began by noting what he saw, he was 10 yds away "an aerial challenge happened, Callum went up to challenge and won the ball in the air, I was surprised the opponent did not jump and contest in the air, Callum lost balance when colliding and they came back down to earth and the opponent got badly injured".
- 35.2. When questioned he said the game was very competitive, he has played against West Wickham on many occasions in the 6-8 years he has been with Alleyn OB and they are always great matches and fair. He was not at the previous game. Of this fixture he notes "the first 20 minutes were high tempo, fast paced but not aggressive with no serious fouls". When asked he believed Callum was aware of the position of Mr Murray and that both were getting ready to challenge; he added Mr Murray jumped but not very high which surprised him.
- 35.3. There was "contact in the air but I do not know how severe it was, it was a typical aerial challenge and the injury was a result of the landing". He also added when asked "it was definitely over the top not through, he lost his balance in mid air and fell down as he was not in control".

- 35.4. Mr Skonieski could not recall if Mr Murray was stationary or if Mr Hopkins had to move forward to make the challenge. He felt it was *“good judgement for Callum to go for the ball, I thought he would win it”*. He does not recall how Mr Murray fell but does recall him groaning and in pain.
- 35.5. Mr Hopkins had no questions for his witness.
36. The next witness was Mr Ben Chapman, he added the following observations;
- 36.1. Mr Chapman knows both individuals and regards Mr Hopkins as his best friend. He did not feel there was any animosity towards Mr Murray going into the fixture. It was a competitive game and he *“did not see anything that would indicate any issues”*. He played at Left Back for the fixture and was around 5 yds from Mr Hopkins and was watching him the whole time as he went for the challenge.
- 36.2. Of the challenge he adds *“Callum was moving towards the ball with his eyes on it 100% and collided with the back of Sam, this stopped Callum mid-air and he bundled forward. Sam fell to the floor and unfortunately Callum was unbalanced. Sam fell face first to the floor and Callum came down with no ability to control himself and his full weight through his midriff and bottom landed on Sam’s head”*. He notes no other part made contact adding *“you see that sort of challenge every week but with no injury and was totally unfortunate, I have never seen anything pre-meditated in 10 years at Alleyn Old Boys and would not happen at our club”*.
- 36.3. He adds the *“team were conscious of the injury and Callum left straight away to try and see Sam to make sure he was okay and has contacted him since”*. Mr Chapman has also spoken to Sam and is aware of the impact his injuries have had on him. He also likened the challenge to *“one I have seen from Harry Kane when backing in and when Callum collided with Sam it was not through him but tumbled over him as he fell”*. They also felt as a team it was an *“iffy booking but not a red card”*; the team were pretty shocked at the decision. He added *“if the view of the referee was different then that is why he sent him off, I think he was influenced by the injuries”*.

- 36.4. When asked to confirm how far Mr Hopkins had to move to get to Mr Murray he stated *"Callum did not travel that far it was almost like a standing jump possibly 2/3 steps away"*. In regards to how Mr Murray fell he added *"he was looking towards me and he was conscious"*, when then asked if Mr Murray used his hands to break the fall after the previous comment that he fell face first Mr Chapman said *"I think so, he must have done"*.
- 36.5. Mr Hopkins had no questions for the witness.
37. The final witness for the participant was Mr Billy Goldsmith, when questioned he added the following;
- 37.1. He was playing central defensive midfield, 6-7 yds from the incident and stated *"the goal keeper kicked the ball to the centre circle, Callum was looking at the ball, he ran up with his eyes on the ball and won it, they collided in mid-air, a normal collision, he landed on the player and injured him"*. He adds *"the challenge was probably a yellow card but a red for the injury"*.
- 37.2. When asked about the comment in his statement the challenge was 50/50, he notes *"I believe the ball was there to be won he was 4-5 yds away as he ran over, he used his arms to lift himself up, the impact was as he landed then Callum fell on him"*. When asked if Mr Murray used his hands to break his fall, he was not sure but thought he would have.
- 37.3. Mr Hopkins had no question for the witness.
38. That concluded the live evidence in the hearing.
39. Mr Hopkins was asked if he was content that he had been given a fair hearing and able to present the evidence he needed to and to ask questions of the witnesses; he replied he was happy that he had.
40. Mr Hopkins was then asked to summarise his case to which he stated the following *"Having listened to enough witnesses it's clear there was no intent to go in and hit the player, I wanted to enjoy and win the game. It was an unfortunate incident, a number of things came into play and I feel so, so bad this has affected him as a person and how he moves forward. There is no way I would set out to hurt him, I could have*

*landed 1000 times and not hurt Sam as I did. It is clear how much it has affected me by landing on him and causing these injuries”.*

### **Standard of Proof**

41. The applicable standard of proof required for this case is the civil standard of the balance of probability. This standard means, we would be satisfied that an event occurred if we considered that, on the evidence, it was more likely than not to have happened.

### **The Findings & Decision**

42. The Commission considered the written and verbal evidence put before them; the FA Handbook notes the threshold for the charge as;

42.1. *“If a Match Official’s report indicates that a Participant has perpetrated an assault on another Participant causing serious bodily harm before, during or after a Match, the Affiliated Association shall without delay investigate the Referee’s report”*

43. The standard for the charge to be considered Assault is if any of the following have occurred, *“broken bones (not fractured) and/or disfigurement and/or injury resulting in disability and/or Psychiatric Injuries”*. When considering this case with Mr Murray suffering a broken jaw that has pierced his ear canal and the inability to now eat on one side of his mouth at least two of these have been met; it is not yet understood if there are any mental health side effects.
44. Having decided the injuries met the threshold the Commission looked at the culpability of Mr Hopkins. Assault by Participant on Participant is a serious charge, the Commission discussed the details of the incident provided in the evidence presented to them regarding the incident at length. The main consideration in respect of the actions of Mr Hopkins specifically was if there had been any intent to cause serious injury his opponent. The County witnesses noted there was use of excessive force towards the opponent with an extremely forceful, hard bodily impact on Mr Murray.

45. Mr Hopkins maintains he was not aware of the position of Mr Murray and only had eyes on the ball however there was a belief in the Commission that Mr Hopkins would have noted Mr Murray in his peripheral vision as he approached and would be aware he was close. It was also believed the player had run from 4-5 yards to make the challenge and was determined to win the ball at all costs. Additionally, the referee stated he would have dismissed Mr Hopkins regardless of the injuries sustained due to the lack of control and level of force used.
46. The Commission believed the initial impact accentuated by the act of turning unsighted into his opponent, who was in motion towards him, rendered Mr Murray unconscious. It was considered more likely the secondary incident of the player landing on top of him that caused or worsened the injuries Mr Murray suffered, who, as he was unconscious was unable to defend himself.
47. The overriding belief amongst the Panel was of a challenge gone wrong which has unfortunately resulted in the injuries sustained, the Commission believe there was an intent to make contact with Mr Murray but not to commit assault and, on the balance of probability have found the charge as **Not Proven**.
48. The Commission then looked to the **Alternate Charge** relating to violent conduct. The actions of Mr Hopkins were considered more likely than not to have been a deliberate attempt to make a strong challenge on Mr Murray, there was excessive force and, although Mr Hopkins did win the ball, he did go through the back of the opposition player to do so. It is possible the turning of Mr Murray was not anticipated and there was an expectation to challenge in the air, however as Mr Hopkins, in the words of Mr Buck, "*had no control of the challenge*" he was committed to it and could not pull out resulting in the impact.
49. Whilst there was animosity in the previous fixture, this did not appear to carry over into this fixture with all witnesses noting there were no unsavoury challenges taking place. Mr Hopkins did note this was a "*top of the table clash*" and, with the stakes set high it is likely that emotions were also heightened and were possibly a contributing factor towards the incident.



50. As already stated, the Commission did not believe Mr Hopkins set out to seriously injure his opponent; however, with Mr Murray being one of the better West Wickham players, the Commission considered it likely that the challenge was intended as a typical “9 on 5 challenge, as a marker” to unsettle Mr Murray and was carried out with excessive force. The Commission believe, on the balance of probability the challenge does meet the threshold of violent conduct and have found the **Alternate Charge as Proven**.

### Previous Disciplinary Record

51. Mr Callum Hopkins’s five-year offence history contains the following misconduct relative to this charge;

51.1. 25 November 2017 E3 Sanction £10.

### Mitigation

52. When asked to provide a plea in mitigation, Mr Hopkins stated;

52.1. *“I have played football since I was six, and had represented Kent County for 2 years, I have been a captain for other teams including one in the Combined Kent Counties League. I am a Level 1 coach and have given back to children by helping to coach them often giving up Saturdays to do so. I have only ever tried to play hard and fair and I am a reputable person who does not normally inflict injuries. I have run teams and would not be given the responsibility by Mr Max Waters [Chairman of Alley Old Boys] if he doubted my character”.*

53. The Commission also informed Mr Hopkins that his apology both written, and more specifically the verbal apology during the hearing would also be considered.
54. Mr Hopkins has already served a 3-match ban and been fined £40 for the dismissal as part of the original Standard Charge.

**The Sanction**

55. For case 10846441M Mr Callum Hopkins the sanction range for this offence is as follows:

55.1. Suspension of 1 to 10 Matches;

55.2. A fine of £30 to £150.

56. After taking into consideration Mr Hopkins's previous record and mitigation listed above, alongside the aggravating factors of the force of the challenge on his opponent and the impact being from behind leaving Mr Murray unable to defend himself, the Commission placed this into the High Category, therefore the sanction will be:

56.1. To serve a suspension of 4 Matches to include ground/venue ban. This comprises of an 8 Match suspension for the offence, with a further match added for the offence history less 3 matches already served for the S1 dismissal and less a further 2 Matches for the mitigation provided;

56.2. fined a sum of £80 made up of a £120 minus the £40 already paid as part of the S1 dismissal;

56.3. 9 (nine) Club Disciplinary Points to be recorded;

56.4. A warning as to future conduct

57. The decision is subject to the right of appeal under the relevant FA Rules and Regulations.

58. Signed...

**Mr Steve Francis** (Commission Chair)

**Mr Martin Hill** (Wing Member)

**Mr Roger Gell** (Wing Member)

22 June 2022