

FA NATIONAL SERIOUS CASE PANEL

DISCIPLINARY COMMISSION

CHAIRMAN SITTING ALONE

*on behalf of Amateur Football Alliance*

CORRESPONDENCE HEARING

*of*

**ARMAI-ANDRA BENBOW**

JOHN FISHER OLD BOYS

[Case ID: 11762306M]

THE DECISION AND REASONS OF THE COMMISSION

## **Introduction**

1. On 13<sup>th</sup> April 2024, John Fisher Old Boys (“the Club”) played a fixture against Wallington FC (“Wallington”) – collectively the “Match”.
2. The Match Referee, Mr John Catley, reported the conduct of Mr Armai-Andra Benbow (“AAB”) a Club non playing participant.
3. Amateur Football Alliance (“Amateur FA”) investigated the reported incident.

## **The Charge**

4. On 21<sup>st</sup> May 2024, Amateur FA charged AAB:
  - 4.1. with misconduct for a breach of FA Rule E3 – Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour) contrary to FA Rule E3.1 It is alleged that Armai-Andra Benbow used threatening and/or abusive and/or indecent and/or insulting language/behaviour contrary to FA Rule E3.1 and it is further alleged that this constitutes Threatening Behaviour Against a Match Official as defined in FA Regulations. This refers to the allegation that Mr Andre-Benbow acted in an aggressive manner that made the referee feel intimidated.
5. The relevant section of FA Rule E3 states:

*“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.”*
6. Threatening Behaviour against Match Officials is defined, under *Offences Against Match Officials*, as:

*“96.1 Threatening behaviour; words or actions that cause the Match Official to believe that they are being threatened. Examples include but are not limited to: the use of words that imply (directly or indirectly) that the Match Official may be subjected to any form of physical abuse either immediately or later, whether realistic or not; the raising of hands to intimidate the Match Official; pretending to throw or kick and object at the Match Official”.*
7. Amateur FA included with the charge letter the evidence that it intended to rely on in this case.
8. AAB was required to respond to his charge by 4<sup>th</sup> June 2024.

## **The Reply**

9. On 4<sup>th</sup> June 2024, AAB responded to the charge online via the Whole Game System and he admitted the same, requesting that it be dealt with in his absence at a Correspondence Hearing.

## **The Commission**

10. The Football Association (“The FA”) appointed me, Karen Hall, as a Chairman member of National Serious Case Panel, to this Discipline Commission as the Chairman Sitting Alone to adjudicate in this case.

## **The Hearing & Evidence**

11. I adjudicated this case on 5<sup>th</sup> June 2024 as a Correspondence Hearing (the “Hearing”).
12. I had received and read the bundle of documents prior to the Hearing.

13. The following is a summary of the principal submissions provided to me. 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 I did not take such point, or submission, into consideration when I determined the matter. For the avoidance of doubt, I have carefully considered all the evidence and materials furnished with regard to this case.
14. The Match Referee, Mr John Catley, submitted a Report dated 13<sup>th</sup> April 2024 in which he states that towards the end of the first half of the Match he overruled an offside decision made by AAB. This resulted in a goal for Wallington and AAB became "enraged". He threw down the flag in an aggressive manner, shouting "what the fuck is the point of being here". He proceeded to leave the field of play shouting expletives and being very aggressive. He went to talk to him and AAB became threatening in manner, walking into his personal space and telling Mr Catley to get out of his face. Mr Catley asked for his name which he declined to provide. The Club captain advised that he was called "Amari". Mr Catley showed AAB a red card and dismissed him from the field of play.
15. As part of the investigation into the incident, Amateur FA sought further clarification from the Referee who stated in an email that he caught up with AAB on the other side of the field of play as he (AAB) had walked around. He went to dismiss him and AAB was saying "get the fuck away from me". AAB was pushed away by his captain. Mr Catley describes that he felt threatened "but not overly so". A Wallington official came over and advised that he would call the Police if AAB did not leave but Mr Catley said that this was not necessary, he would abandon the match if AAB did not leave. AAB did eventually leave.
16. Mr Paul Dodds, Wallington Coach, provided a Statement dated 15<sup>th</sup> April 2024 in which he states that after the Referee had overruled an offside decision, the Club Assistant Referee "threw a tantrum" storming across the pitch shouting "the ref doesn't fucking listen" over and over. When the Referee went to talk to him he became more aggressive and verbally abusive. At this point he went over as he was pushing his chest into the Referee. The Assistant Referee was asked to leave and became aggressive towards Mr Dodds but he was led away by Club Officials.
17. Mr Lamai Sillince, a Club player, provided a Statement dated 27<sup>th</sup> April 2024 in which he states that during the Match the Referee ignored an offside call from AAB following which Wallington scored. The Club players were upset. AAB put the flag down and walked around the pitch towards the Club bench and said that someone else needed to run the line. The Referee ran over to AAB and there was a slightly heated debate. The Referee said that he would dismiss AAB. The Club captain led AAB away as he was shown the red card.
18. Mr Sean Collard, a Club player, provided a Statement dated 23<sup>rd</sup> April 2024 in which he states that the Referee overruled an offside decision by AAB, resulting in a Wallington goal. AAB was very unhappy by the decision and put down his flag and said that he would not continue to run the line. AAB and the Referee had words so Mr Collard went over to calm the situation. He tried to calm AAB. The Referee dismissed AAB and asked for his name which Mr Collard gave. The Referee asked AAB to leave and Mr Collard convinced him to do so.
19. Mr Christopher Collard, a Club player and Official, provided a Statement dated 23<sup>rd</sup> April 2024 in which he states that AAB volunteered to run the line but during the Match the Referee overruled an offside decision by AAB, resulting in a Wallington goal. AAB put down the flag and said "get someone else to run the line". AAB then walked around the pitch towards the bench. The Referee "sprinted" over to AAB to request his name and then dismissed him. AAB asked the Referee why he had ignored his offside flag and other decisions.

20. AAB provided a Statement dated 23<sup>rd</sup> April 2024 in which he states that he volunteered to run the line during the Match. The Referee asked that he flag for offside. He flagged a Wallington player offside but the Referee ignored him and Wallington went on to score. At this point he said “if I’m not needed because you continue to ignore me I’m going to the bench to see if I can help from there”. He started to walk around the pitch to the bench. The Referee ran over to him and said “where are you going?” and he replied “pardon”. The Referee said that if he was no longer acting as Assistant Referee he would be dismissed and have to leave or the Match would be abandoned. He initially thought the Referee was joking but the Referee asked for his name and took out his cards. AAB asked for the Referee’s name and affiliated County. The Referee told him to shut up and give his name. He asked why he was being carded and the Referee turned and talked to someone else.
21. Within the bundle are a number of VEO clips. The VEO clearly shows the Assistant Referee flagging for an offside around 41.40. Wallington go on to score. The Assistant Referee is seen to spread his arms in what could be an expression of disbelief. The players regroup for the restart and the Referee then turns and walks in the direction of the Assistant Referee. He walks in the direction the Assistant Referee and they exchange a few words by the goal. These are not audible. A Club player then runs off the pitch. The Match resumes at around 45.12 with a different Assistant Referee.
22. In response to the charge, the Club Secretary provided an undated Statement in which she states that AAB decided that he no longer wanted to run the line, having had a decision overruled by the Referee. They state that AAB was walking around the pitch when the Referee ran over to confront him. The Referee invaded AAB’s personal space and a confrontation ensued. AAB accepts that he could have handled the situation better.
23. That concluded relevant evidence in this case.

### **Standard of Proof**

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

### **The Findings & Decision**

25. It was noted AAB had accepted the charge and credit would therefore be given for the guilty plea.
26. Liability was predetermined by the guilty plea. Based on that and the evidence before the Hearing, I found that in respect of the charge of improper conduct against a Match Official (including threatening and/or abusive language/behaviour), the charge was PROVEN.

### **Previous Disciplinary Record**

27. After finding the charge proven, I sought the participants offence history. I note that AAB has no other proven misconduct charges in the preceding five years. However, I note a dismissal for using offensive, insulting or abusive language and/or gestures in December 2021 and a dismissal for violent conduct in November 2021.

### **Mitigation**

28. There is no mitigation within the bundle.

## The Sanction

29. In respect of the charge, the relevant FA Disciplinary Regulations on sanction (Regulation 101.7.1) states that in respect of this charge a sanction of a suspension from all football activities for a period of between 56 days and 182 days. There shall also be an order that the participant completes an education programme before the time based suspension is served.
30. Regulation 102 provides factors to be considered when determining sanction. In that regard I note the Referee walked across the pitch to speak with AAB. The audio of that conversation is not clear but AAB appears unhappy that his decision was overruled. The Club captain intervened to calm the situation. The Referee to his credit states that he felt threatened, but “not overly so”. This offence merited a sanction of a suspension from football and all footballing activities for 82 (eighty two) days. Sanction was aggravated to a suspension for 112 (one hundred and twelve) days by virtue of the previous disciplinary record but mitigated by the guilty plea.
31. After taking into consideration all the circumstances in this case, Mr Benbow is:
- 31.1. to serve an immediate suspension from all football and football activities for 75 (seventy five) days. In accordance with FA Regulations as this suspension covers the closed season in part, an additional 30 (thirty) days are imposed. The total sanction is therefore 105 (one hundred and five) days;
- 31.2. fined a sum of £60 (sixty pounds); *and*
- 31.3. to satisfactorily complete an online mandatory education programme before the time-based suspension is served, or Mr Benbow be suspended until such time he successfully completes the mandatory education programme, the details of which will be provided to him;
32. The decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Signed...

**Karen Hall F.Clnt.L.Ex** (Chair)

5<sup>th</sup> June 2024