

# National Serious Case Panel

Case ID:

11766887M

## Disciplinary Commission

*Correspondence Hearing - Chair Sitting Alone*

### Amateur Football Association

County FA

v

### Bromleians Reserves

Participant

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The Decision and Written Reasons of The Commission

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#### Disclaimer:

*These written reasons contain a summary of the principal evidence before the Commission and do not purport to contain reference to all the points made, however the absence in these reasons of any particular point, piece of evidence or submission, should not imply that the Commission did not take such a point, piece of evidence or submission, into consideration when determining the matter. For the avoidance of doubt, this Disciplinary Commission has carefully considered all the evidence and materials in this matter.*

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## **Introduction**

1. On the 4<sup>th</sup> May 2024, there was a football match (the “match” or “game”) between *Glebe Reserves* (“Glebe”) and *Bromleians Reserves* (“Bromleians”). Bromleians played an unregistered player at this match and they as a club are therefore treated as a “participant” for the purpose of this case.

2. The referee’s (unamended) reports state:

*“After a foul tackle from Glebe 5 (Archie Jefferies), Bromleians 11 (Christopher Allat) headbutted Archie, it was a weak headbutt however there was still contact. After which Christopher approached Glebe’s club assistant linesman (Taheim Walters at the time) and grabbed him by his bib in a threatening manner. After I sent Christopher off he didn’t leave the benches and when I asked him to he yelled at me to “fuck off” multiple times before eventually leaving. After the match, Christopher was waiting outside the stadium and approached Taheim after the game saying “you can talk to me here now” and a confrontation between the two ensued. The players and staff were quick to break it up but Christopher then walked towards the changing rooms and Glebe’s manager (Luke Jefferies) went after him yelling “cunt, fuck off” multiple times and had to be held back. After this, the conflict subsided however I didn’t see anything after Luke being held back from approaching Christopher”.*

3. This was investigated by the County FA and statements were obtained to establish what took place. The County FA communicated to the participant that they had made a decision to charge on the evidence below.

4. The County FA are subject to managing games within their jurisdiction pursuant to rules and regulations set out by The Football Association (“The FA”).

### **The Commission**

5. The County FA prepared the bundle for these matters and the National Serious Case Panel (“NSCP”) officially appointed me as the “commission” to adjudicate on this case alone as a Chair member.
6. For the purpose of fairness, I am independent to the parties referred to in this case and I did not have a conflict of interest to declare. My decision is based only on the evidence I have been sent and this is outlined below.

### **The Charge(s)**

7. The County FA laid the following charges (detailed within The FA Handbook<sup>1</sup>):

#### Charge 1

- 7.1. FA Rule E20 – Failed to ensure directors, players, officials, employees, servants, representatives attending any match do not behave in a way which is improper, offensive, violent, threatening, abusive, indecent or provocative.

### **The Reply**

8. The participant denied the charge and requested a correspondence hearing.

### **The Hearing and Evidence**

9. Below is a list of documents and/or witnesses in the bundle, that I was provided to consider.

10. County FA’s evidence in support of the charge(s):

- 10.1. Maxim Solovev, referee;
- 10.2. Luke Jefferies, Glebe manager.

11. Participant’s evidence:

- 11.1. Andy Stanford, Bromleians Chairman.

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<sup>1</sup> <https://www.thefa.com/football-rules-governance/lawsandrules/fa-handbook>

### **Standard of Proof**

12. As directed by The FA, the appropriate standard of proof in such cases is that of the civil standard. This means that the commission must be satisfied on the balance of probabilities that, as per the evidence presented before it, it was more likely than not that the events occurred as they have been charged.

### **The Decision**

13. The County FA produced a report from the referee and also a statement from the Glebe manager that was consistent in respect of the behaviour of the unregistered player. Through these statements it is noted that “Christopher Allatt” had grabbed a linesman by his bib in a threatening manner, he had told the referee to “fuck off” and demonstrated further abusive language towards others. Such behaviour is clearly improper and where this individual was representing the club as a player, the club failed to ensure that he acted in a way that would not be otherwise than in an orderly fashion. In response to these allegations the club did not dispute the conduct alleged and further corrected that the individual was in fact “Christian Johnson” and the act of playing him is not something that was sanctioned by them. They take responsibility for what happened and explain that swift action had been taken to remove any individuals from the club. I am therefore presented with no challenge to the evidence and find the charge PROVEN.

### **Previous Offence History**

14. After making a decision, I was provided with the participant’s 5-year previous record.

15. From the recorded provided, the club has 5 teams and I note there are no previous relevant charges (such as E20). Credit will therefore be afforded at sanction stage.

**Aggravating and Mitigating Factors**

16. Aggravating factors as per the FA Handbook, sanction guidelines and other observations:

- 16.1. Repeated behaviour of the player;
- 16.2. Phases – further abuse after being sent off;
- 16.3. Using another player’s name to play.

17. Mitigating factors as per the FA Handbook, sanction guidelines and other observations:

- 17.1. Previous offence history;
- 17.2. Action to remove individual from the club;
- 17.3. Response tantamount to a guilty plea.

**Sanction**

18. The FA Handbook and County FA Disciplinary Sanction Guidelines set out the scope and range of sanctions that are available. The applicable season is 2023/24.

19. After taking everything into account, I considered that the behaviour of the player was appalling and the club ultimately takes responsibility for his conduct and the team. Where the player was not registered, any fines will be attributed to the club and it will then be a matter of their own process as to how they recover this from the individual responsible.

The various and repeated conduct places this in the high category but I note the strong mitigation which I will use to keep this at the lowest fine within this category range.

Therefore, the sanction imposed will be:

- 19.1. A fine of £100.

20. Decisions above are subject to a right of appeal under relevant FA Rules and Regulations.

**Alban Brahimi, Chair**

3<sup>rd</sup> July 2024