

National Serious Case Panel

Case ID:

(1) 11676626M

(2) 11676664M

(3) 11676634M

Disciplinary Commission

Personal Hearing

Amateur Football Alliance

County FA

v

(1) Jerrel Clarke

(2) Dean Flatt

(3) Aaron Stocker

Participants

The Decision and Written Reasons of The Commission

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 23rd March 2024, there was a football match (the “match” or “game”) between *Parkside First* (“Parkside”) and *Junction Elite FC Casual Ists* (“Junction”). Mr Jerrel Clarke is a player for Junction and Mr Dean Flatt is their manager. Mr Aaron Stocker, although described as the manager, was in fact a Chairman spectator at this match. This means that all three individuals are considered a “participant” for the purpose of this case.
2. Relevant parts of referee’s (unamended) reports include the following allegations:

Jerrel Clarke: *“The above game, I'm afraid was abandoned due to fact that Junction Elite Casuals Manager called his players off the field in the 59th minute. A few minutes after this whilst I was in conversation with a couple of players an individual came up behind me and grabbed hold of both of my legs(just below my knees) and lifted me up and dumped me on the floor. I got myself up and said to him " What did you do that for"? He ignored me. I asked him the same again? I then asked for his name. He completely ' blanked me' whilst walking away..... I made my way over to the touchline ' in a bit of shock' tbh.... I know it was witnessed. Certainly by team mates of this guy(who I was in conversation with at the time) and quite a few people saw me on the floor(inc' KDFL Fix Sec who was present)... As I said I rejoined my 2 Neutral Assistants by the touchline. I had quite few people check on me. I assured them I was OK. We were gathering our belongings together when Mr Aaron Stocker (Junction Elite Casuals FC) came across and said to me ' I hear one my players just assaulted you. He asked me who it was! I said, He Wouldn't give me his name..... Tell me who it is and I tell you he'll never kick a ball for our club again" Initially I couldnt see him at first but eventually I did and pointed him out. Mr Stocker told me it was " Jerrel Clarke". I later realised Mr Clarke was a named substitute on the team sheet for Junction Elite. I like to thank Mr Stocker for his assistance in identifying this individual.....”.*

Dean Flatt: *“In the 57th minute, after the award of a free kick to his opposing team. Mr David Flatt (assistant Manager of Junction Elite Casuals FC) screamed at me " You're taking the Fucking piss Ref, You're a Fucking joke you are". I stopped play immediately went across and enquired of his name. He Refused and said you ain't having my Fucking name. Eventually the team Manager told him to give it to me. He did then and I issued him a Red card and told him he will be reported to his County FA”.*

Aaron Stocker: *“In the 57th minute of the above game literally seconds after I'd Red carded his Assistant I heard the Junction Elite Casuals FC Manager shout out pointing towards my Assistant Referee (Mick Corcoran) " And the lino' He's a Fucking Cheating Cunt too". I immediately went to him and asked for his name. He Refused saying " Your not having my name, I'm nothing to do with the team" I said " But you're the team Manager. He replied again". I'm not anything to do with any of it, I'm just here" I then took the name of another fellow club official who said his name was " John Bates"... I showed him the Red card instead... The game re-started with free kick that had been awarded to their opponents. Now I know who I was initially asking as I have had quite a few games Refereeing this team, but I was just following procedure. His name is Aaron Stocker”.*

3. This incident was investigated by the County FAs and statements were obtained to establish what took place. The County FAs communicated to the participants that they had made a decision to charge on the evidence below.
4. The County FAs 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 FAs prepared the bundle for this matter and The FA officially appointed this disciplinary commission (the “Panel”, “We” and “Us”) to adjudicate on this case. The Panel

consisted of a chair and two wing members. We were supported by an FA appointed secretary to give guidance on rules and regulations (where necessary).

6. For the purpose of fairness, the Panel did not declare any conflicts of interest regarding parties and witnesses in this case.

The Charge(s)

7. The County FAs laid the following charges (The FA Handbook¹):

Jerrel Clarke

Charge 1

7.1. FA Rule E3 – Improper conduct – assault or attempted assault on a match official.

Alternative Charge 1

7.2. FA Rule E3 – Improper conduct against a match official (including physical contact or attempted physical contact and threatening and/or abusive language/behaviour).

Dean Flatt

Charge 1

7.3. FA Rule E3 – Improper conduct against a match official (including abusive language/behaviour).

Aaron Stocker

Charge 1

7.4. FA Rule E3 – Improper conduct (not including threatening and/or abusive language/behaviour).

Charge 2

7.5. FA Rule E3 – Improper conduct against a match official (including abusive language/behaviour).

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

The Reply

8. Mr Clarke and Mr Flatt denied their charges. Mr Stocker accepted his charges. All matters were considered within one hearing as part of a consolidated case.

The Hearing and Evidence

9. The Panel heard this case on the 2nd May 2024 via Microsoft Teams. Mr Flatt's case was decided by way of a personal hearing regarding his charges. For the purpose of Mr Clarke, this was decided on papers, as per his choice for a correspondence hearing. The following will now relate to Mr Clarke only given that his matter was a serious charge.

10. Evidence in support of the County FA:

11. The following statements were taken into account:

- 11.1. Martin Coughlan, referee;
- 11.2. Michael Corcoran, assistant referee;
- 11.3. Maurice Gilley, independent league official;
- 11.4. Jayme Caen, Parkside club official;
- 11.5. Screenshots of individual profiles from Junction.

12. Evidence in support of the charged participant:

13. The following statements were taken into account:

- 13.1. Jasmine Turley, Junction secretary;
- 13.2. Aaron Stocker, spectator;
- 13.3. Jerrel Clarke, Junction player;
- 13.4. Dean Flatt, Junction club official.

Standard of Proof

14. As directed by The FA, the appropriate standard of proof in such cases is that of the civil standard. This means that the Panel must be satisfied on the balance of probabilities that,

as per the evidence presented before us, it was more likely than not that the events occurred as they have been charged.

The Decision

15. The County FA produced evidence from the referee that went on to describe how he was picked up from behind and both of his legs were grabbed, before being lifted and “dumped” on the floor. His account was supported by Mr Gilley as an independent observer. The referee described questioning the very person why he did that and was ignored. We read that he was able to identify this individual by pointing him out to Mr Stocker and was informed that his name was “Jerrel Clarke”. We were persuaded that given the referee questioned and tried to speak to Mr Clarke and was then informed of his name by a Junction related individual that he had identified the correct person. In terms of the conduct itself, to have grabbed a senior individual such as the referee in the way that he described, then lifted and “dumped” him to the floor was behaviour likely to cause injury. We do not consider this was an attempt to cause injury but a deliberate act that could have caused injury. It was not necessary for us to establish that injury was caused as per the definition with the FA Handbook. When assessing this evidence against that of Mr Clarke, he provided a brief statement that suggested the referee was “tripped” and that his team was not responsible. This account was not supported by other statements and his club, through Miss Turley, even went on to say that Mr Clarke provided a “zero response” and was even removed from the club as they “do not tolerate this type of behaviour”. On the balance of probabilities we are persuaded by the County FA’s evidence that Mr Clarke did assault the referee in the way they describe and therefore the charge is PROVEN.

Previous Offence History

16. After making our decision, we were provided with the participant’s 5-year previous record.

17. There are no previous misconducts and some cautions. Credit will be afforded for sanction.

Aggravating and Mitigating Factors

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

18.1. Premediated action as he was a substitute entering field of play.

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

19.1. Previous offence history.

Sanction

20. 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.

21. After taking everything into account, we considered that there was a balance between the aggravating and mitigating factors to keep this at the minimum range. The sanction that will therefore be imposed upon the participant is the following:

21.1. To serve an immediate suspension of 1,825 days (5 years) from all football and footballing activity, from the date the interim suspension started;

21.2. To complete an FA face to face education programme before the end of the above sanction, or within 28 days of the Disciplinary Commission's decision, whichever is the later. Otherwise, the participant will be suspended until the programme has been successfully completed. Programme details will be provided;

21.3. Penalty points of 10.

Consolidated cases

22. The following non-serious cases are treated as consolidated matters because they arise from the same match and the facts relate to a charge(s) against one or more participant(s) which are sufficiently linked. Decisions were made using evidence from all bundles provided in

accordance with Rule 13 “consolidation of proceedings” under the disciplinary regulations of The FA Handbook.

Dean Flatt

23. Charge 1 as above.

23.1. Proven.

23.2. Sanction: 3 match ground ban, £40 fine.

Aaron Stocker

24. Charge 1 as above.

24.1. Proven.

24.2. Sanction: 3 match ground ban, £35 fine.

25. Charge 2 as above.

25.1. Proven.

25.2. Sanction: 3 match ground ban, £45 fine.

26. All decisions are subject to a right of appeal under relevant FA Rules and Regulations.

Alban Brahimi, Chair

Jairo Marin

Brian Coddington

Lauren Halsey, Secretary

8th May 2024