

Case ID: 11424911M

IN THE MATTER OF MISCONDUCT CHARGES UNDER RULE E3 OF THE RULES OF
THE FOOTBALL ASSOCIATION

BETWEEN:

AMATEUR FOOTBALL ALLIANCE

and

DARREN LEDGISTER

DECISION AND REASONS

Background and Chronology

1. The Football Association convened a Disciplinary Commission (“**the Commission**”) on behalf of the Amateur Football Alliance (“**the AFA**”) to adjudicate upon disciplinary charges levied against Darren Ledgister of Ashurst First.
2. The charges arose out of a match played on 16 October 2023 between Ashurst First (“**Ashurst**”) and Addleshaw Goddard FC (“**AGFC**”) in the London Legal League.
3. By letter dated 17 November 2023, Darren Ledgister was charged with misconduct for breach of FA Rule E3 (Improper Conduct (including foul and abusive language)) and it is further alleged that this is an aggravated breach as defined by FA Rule E3.2

because it includes a reference to Race/Colour. This refers to the comment “*white prick*” or similar (“**the Charges**”).

4. A response was filed accepting both Charges and requesting them to be dealt with by way of a non-personal hearing. In accordance with the FA Regulations, Ellie Menezes was appointed as Chairperson to deal with the Charges by way of a non-personal hearing.
5. The following is a summary of the principal issues and matters considered by the Commission. It does not purport to contain reference to all the issues or matters considered, and the absence in these reasons of reference to any particular point or submission made by any party should not be read as implying that it was not taken into consideration. For the avoidance of doubt, all evidence and materials furnished were taken into consideration.
6. **The Relevant FA Rules**

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.”

FA Rule E3.2 states:

“A breach of Rule E3.1 is an “Aggravated Breach” where it includes a reference, whether express or implied, to any one or more of the following: ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.”

The Evidence

7. The Commission had been provided with a bundle of documents, including:
 - (a) Misconduct Charge Notification dated 17 November 2023;
 - (b) Extraordinary Incident Report Form submitted by the Referee on 17 October 2023;
 - (c) Participant Misconduct Report Form;
 - (d) Correspondence between the AFA and the Referee;
 - (e) Correspondence between the AFA and AGFC;
 - (f) Witness statements submitted by AGFC;

- (g) Statement submitted by Ashurst;
- (h) Statements submitted by Mr Ledgister; and
- (i) Screenshot of the Whole Game System showing Mr Ledgister's response to the Charges.

Evidence in support of charge:

- 8. The Commission considered the Extraordinary Incident Report Form submitted by the Referee, Robert Ryan. The Referee states the following:
 - (a) in the 50th minute of the game, he heard an Ashurst player shout a racist remark to an AGFC player, calling him a "*white prick*"; and
 - (b) the Ashurst player who made the comment was Mr Ledgister.

- 9. The Commission considered correspondence between the AFA and the Referee. The Referee further stated the following:
 - (a) Mr Ledgister had appealed for a free kick to be awarded to Ashurst just before he made the comment;
 - (b) the comment was directed to the AGFC left back; and
 - (c) he was around 15-20 yards away from Mr Ledgister at the time the comment was made, but most of the players heard the comment being said.

- 10. The Commission considered a witness statement submitted by Ross Lennox of AGFC. The statement is dated 8 November 2023. Mr Lennox states the following:
 - (a) during the match, an AGFC player tackled an Ashurst player near the halfway line and the ball went out for a throw in;
 - (b) at the time, Mr Lennox was standing in the centre circle;
 - (c) the Ashurst player made a comment to the AGFC player which Mr Lennox could not hear, but the AGFC player responded along the lines of "*shut up mate, you're 5 foot 3*";
 - (d) the Ashurst player then responded by shouting, "*fuck off you fucking white prick*";
 - (e) Mr Lennox knew that this comment would anger the AGFC players, so he instructed the players to stay away from the incident so that matters did not escalate;
 - (f) the Referee subsequently showed a red card to the Ashurst player;
 - (g) at the end of the match, the Ashurst player came over to AGFC to apologise; and

- (h) whilst walking away, the Ashurst player began shouting again in an aggressive manner.
11. The Commission considered a witness statement submitted by Patrick Lloyd of AGFC. The statement is dated 8 November 2023. Mr Lloyd states the following:
- (a) during the fixture, an AGFC player challenged an Ashurst player on the right-hand side of the pitch, around 10 metres into the Ashurst half and a throw-in was awarded;
 - (b) Mr Lloyd was standing at centre-back, approximately 15 metres within the AGFC half;
 - (c) the AGFC player and the Ashurst player spoke with each other, but Mr Lloyd could not hear the conversation;
 - (d) Mr Lloyd did hear the Ashurst player respond to a comment made by the AGFC player with *"fuck off you fucking white prick"*;
 - (e) the Referee dismissed the Ashurst player for racial abuse;
 - (f) the Ashurst player argued with the Referee, causing his teammates to intervene with many shouting at him from across the pitch to get off the pitch; and
 - (g) at the end of the match, the Ashurst player approached the AGFC players to apologise, but eventually grew aggressive and shouted at the AGFC player who had tackled him.
12. The Commission considered a witness statement submitted by Matt Stockton of AGFC. The statement is dated 8 November 2023. Mr Stockton states the following:
- (a) Mr Stockton was playing in the match as right-back for AGFC;
 - (b) during the second half, an incident occurred which resulted in an exchange of words between the Ashurst left-winger and an AGFC player;
 - (c) Mr Stockton does not recall what caused the exchange and he was walking away from the incident when he clearly heard the Ashurst player use the term *"white prick"*;
 - (d) Mr Stockton did not see who the comment was aimed at, but assumed it was an AGFC player;
 - (e) the Referee dismissed the Ashurst player;
 - (f) the Ashurst player appeared reluctant to leave the pitch, but eventually did so; and
 - (g) at the end of the match, the left-winger approached the AGFC team and apologised for the language he had used and suggested that he had made the

comment in response to a comment about his height.

13. The Commission considered a witness statement submitted by Mitchell Ali of AGFC. The statement is dated 8 November 2023. Mr Ali states the following:
 - (a) Mr Ali tackled an Ashurst player on the right side of the pitch around the halfway line;
 - (b) the Ashurst player thought the tackle was too strong, but the Referee did not award a free kick;
 - (c) the Ashurst player made a comment to Mr Ali that he can't recall, but it was along the lines of being better or stronger than Mr Ali;
 - (d) Mr Ali responded with "*mate you're 5 foot 4 give it a rest*";
 - (e) the Ashurst player responded with "*fuck off you fucking white prick*";
 - (f) the Referee heard this comment and subsequently dismissed the Ashurst player; and
 - (g) at the end of the match, the Ashurst player apologised to Mr Ali and said that calling him short was the trigger which made him "*lose his head*".

14. The Commission considered an email from Ashurst to the AFA on 7 November 2023. The email includes the following:
 - (a) a statement from an Ashurst player, stating that a player was substituted onto the pitch to fill in after some players didn't turn up for the match and another player was injured;
 - (b) the substitute was sent off within a few seconds for saying something along the lines of "*white prick*";
 - (c) the substitute knew that he was in the wrong and immediately apologised to the Referee and the opposition team;
 - (d) a statement from another Ashurst player, stating that to his knowledge, a player was sent off for a comment made to the Referee;
 - (e) it was alleged after the game that the dismissed player had called the Referee "*rat face*" but the Ashurst player did not hear this comment being made;
 - (f) the Ashurst player was not aware of any discriminatory language used by either team and there was no obvious sign that there had been an incident on the pitch involving discriminatory language, except for a player being sent off;
 - (g) another statement from an Ashurst player, stating that he did not hear the comment himself; and

- (h) a statement from Ashurst, stating that the club has imposed a lifetime ban on Mir Ledgister.
15. The Commission considered a statement submitted by Mr Ledgister on 14 November 2023. Mr Ledgister states the following:
- (a) Mr Ledgister was repeatedly fouled during the game, but the Referee was not awarding free kicks to Ashurst;
 - (b) eventually, Mr Ledgister said to the Referee “*ref are you not going to give one*”;
 - (c) the Referee responded “*shut up/fuck off about a foul [you’re] like 4 foot below*” and used foul language which Mr Ledgister cannot recall;
 - (d) Mr Ledgister was very offended by the language used and he felt angry as he is insecure about his height and he felt that the comment made was unnecessary;
 - (e) Mr Ledgister reacted by shouting out “*white prick*”;
 - (f) Mr Ledgister apologised to the Referee and both teams for his language; and
 - (g) Mr Ledgister states that he is against all forms of discrimination.
16. The Commission considered a further undated statement submitted by Mr Ledgister. Mr Ledgister states that:
- (a) he is sorry for the situation and he apologises to the team and the opposition player again;
 - (b) he takes full responsibility for his actions; and
 - (c) he would never use that phrase or word again.

Sanction

17. As Mr Ledgister has accepted both Charges, the Commission was only required to consider an appropriate sanction for breach of the relevant FA Rules.
18. The Commission was informed of Mr Ledgister’s previous disciplinary record dating from 1 July 2018 to 4 December 2023. Aside from these Charges, no other misconduct charges have been brought against Mr Ledgister during this time period. The Commission considered this to be a mitigating factor.
19. The Commission also considered the following mitigating factors:
- (a) Mr Ledgister’s acceptance of the Charges; and
 - (b) Mr Ledgister was provoked.

20. Reference was made to the FA Rules including the Disciplinary and Sanction Guidelines in arriving at the sanction. The FA Sanction guidelines provide that the Commission must impose a suspension of 6-12 matches. 6 matches is the standard minimum suspension and the Commission cannot go lower than this amount.
21. The following sanction was imposed:
 - (a) a suspension of 6 matches;
 - (b) seven disciplinary points; and
 - (c) Mr Ledgister must attend an FA online education course before the match-based suspension is served. Failure to comply with this order will result in a Sine-Die suspension being issued against Mr Ledgister until he has fulfilled this order in its entirety.
22. There is a right of appeal in accordance with the FA Regulations.

12 December 2023

Ellie Menezes (Independent Chairperson)