

**IN THE MATTER OF THE FOOTBALL ASSOCIATION
DISCIPLINARY COMMISSION
CHAIR ALONE NON – PERSONAL HEARING**

**AMATEUR FA
(on behalf of the Football Association)**

and

VIJAY BEEKARRY

DECISION AND WRITTEN REASONS

Overview

1. These are the written reasons for the decision in relation to a non-personal hearing on 3 November 2023 following charges brought by Amateur FA against Vijay Beekarry (Case ID: 11410942M) ("**VB**").

The Charges

2. VB has been charged by Amateur FA with a breach of:
 - (a) FA Rule 3.1 – Improper Conduct (including foul and abusive language) and
 - (b) FA Rule 3.2 - Improper Conduct – aggravated by a person's Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Gender Reassignment, Sexual Orientation or Disability.(collectively, the "**Charges**").
3. The particulars of the Charges are that VB made a number of comments by reference to nationality on a social media post, including the "German" and the "Aussie."
4. VB has denied the Charges. Accordingly, the Chair shall consider whether the Charges are proven on the balance of probabilities.

The Evidence

5. This matter relates to a social media post made by VB on Facebook:

"New Season, new start and a virtual new squad, more players to come still.

Today my Regents Park Rangers Ladies started the new season with a 2-0 loss. It was virtually a new squad which has been recruited independently, we don't poach unlike some individuals. Some fab new players have joined from all parts of the world bringing their experience to the club and such a friendly atmosphere.

No pre season friendlies (just training), as recruiting was the priority, we were unlucky today but a good performance considering it that many were playing together as a team for the first time. The last 6 weeks has seen the club bring in new players, those who played today did well, some strong new defenders stood out, new captaincy with stronger leadership qualities.

It will be a work in progress this season and we will take it game by game. We win and lose together but with a good all round atmosphere.

But why a virtual new squad some may ask? I've been quiet long enough.

Simple, a large number of players decided to join a new team, instigated by one of my ex-players. In other words, going behind my back a few months back to poach my players. Quite disgusting, rude and disrespectful. Couldn't even get your own players separately and wouldn't even know those if they had joined my club. Some will obviously say it wasn't poaching, but quite clear what was going on. The act of an individual who had nothing but a guilty face when she looked at me at our end of season awards night was obvious.

One of the so called reasons for those to leave was they are 'friends' which is fine but when you know that many of them have been back stabbing some of their so called teammates and friends, what does that show.

It was made publicly known that their so called keeper wasn't even wanted in that team and she was only there because of her friend. She is only being used in goal as she is not great on pitch and the numerous comments made about her ability is so funny now as those individuals still play alongside her. How contradictory that is. Carry on being used haha, of course it will be denied but reliable sources were told!

Even slating the Aussie player and the Netball player last season to me saying they shouldn't even train in the club as not good enough, but once again they are together in their new team. Not even proper Rangers anyway!

There was also the German one and the little one who also used to slate the instigator with others during car journeys, how funny once again.

Some friends lol!

I've been blocked from her social media now, how funny.

And of course made so rude, contacting our training venue to tell them that they want my club's training slot midweek because we don't have players. So obvious where that has come from. Very nasty act to be honest.

I have been running my club for 19 years and come across so many players, but there are of course a few bad eggs that will stand out, never seen such cowardly behaviour by an individual. Those who had been in the club for '5' mins were not true players even though they were given an opportunity to play football. Many are young and it would be interesting if the directors of that team knew what sort of person they have in their club. Am sure they don't know just yet!

The Rangers move on! Loved the back flip throw from our new American superstar, the one before was even better but didn't film that one but got the second one. Created a lot of attention off the pitch. More to come soon!"

(the "Post")

6. The relevant factual background herein is a summary of the principal submissions provided to the Chair. It does not purport to contain reference to all the points made, or to all the statements and information provided, however the absence in these reasons of any particular point, or submission, should not imply that the Chair did not take such point, or submission, into consideration when he determined the matter. For the avoidance of doubt, the Chair has carefully considered all the evidence and materials furnished in this case.

7. The Chair has before him the following evidence,

7.1 Statement from Paula Verela Lores, player:

"My previous coach, Vijay Beekarry proceeded to post a horrendous and defamatory post on his personal Facebook (in a now deleted post) where he discriminated some of our players as retribution for leaving his club. He attacked our ethnicity (citing some of us as "the Aussie, the German" as well as our physique ("the little one"). He wrote this social media post as he was angry that many of his ex-players decided to join a new club: United Dragons Women's First Team. He has been individually harassing us, trying to guilt trip us and make us regret our decision of leaving his club. This situation then escalated to him posting that Facebook post (screenshot attached) publicly attacking us for the whole world to see. This is not what grassroots football should be about, yet this awful man has been attacking us non-stop. I hope that disciplinary action will be taken against him as it has caused me and my teammates lots of mental distress."

7.2 Statement from Sabrina Lannabi, player:

"My previous coach, Vijay Beekarry proceeded to post a horrendous and defamatory post on his personal Facebook where he discriminated some of our players as rangers for leaving his club. He has also harassed me for leaving the club (regents park rangers) by asking multiple people to call me and demand why I left the club and that 'i had no right to'. He has also made comments referring to people's ability's during training which as a coach, he has no right to do as this is wrong. This person has no UEFA badges and not FA qualified yet he is still allowed to run/be head coach of a club. The assistant coach has tried to help us with him but Vijay instead does not listen, the assistant coach decided to leave the club as a result of Vijay's comments throughout the season and the fact that over 10 players decided to leave his club at the same time due to how he treats females. He attacked our ethnicity (citing some of us as "the Aussie, the German" as well as our physique ("the little one"). He personally attacked me by saying I was the new team's goalkeeper even though 'no-one wants me' and that I am being used by people. He wrote this social media post as he was angry that many of his ex-players decided to join a new club: United Dragons Women's First Team. He has been individually harassing us, trying to guilt trip us and make us regret our decision of leaving his club. This situation then escalated to him posting that Facebook post (screenshot attached) publicly attacking us for the whole world to see. This is not what grassroots football should be about, yet this awful man has been attacking us non-stop. I hope that disciplinary action will be taken against him as it has caused me and my teammates lots of mental distress throughout this whole process which has taken away the fun of playing football at grassroots level."

7.3 Witness Statement of Yana Ahlden, player dated 3 October 2023:

"On or around September 3, 2023, I received a screenshot from Amelia with a post that Vijay had made. It shocked me. It outlined the first game the Rangers had played did not go well and proceeded to blame Natalia for orchestrating the mass departure that occurred at the end of the 2022-2023 season."

He referred to several of us by our nationalities or physical features (probably because by then most of us had blocked him on social media to stop him from messaging us). The abrasive and aggressive tone of the post, blaming everyone else, is very much in line with the Vijay I know. The post was hurtful as it implied we were bad people, spoke about each other behind our backs, and could not be trusted. It reduced us to players at his club who were worth nothing outside of it, who have no agency or opinions of our own. It is a perfect example of how he views and treats the women who play for him. He chases after you when you miss a training session, then yells at you while you are there and then harasses you when you leave."

7.4 Witness Statement of Kirsten Ries dated 21 September 2023:

"I, along with several other people, have been included in a social media post made by a previous coach debasing our characters, with discriminatory language and with information that is categorically untrue. Coming from someone who is in a Head Coach position for a women's team within the FA, it is incredibly concerning.

The post was made by Vijay Beekarry, on his personal Facebook page on the evening of Sunday, 3rd September 2023. He insinuates that an ex-player of his; who I know to be referring to Natalia Debek, poached players from his team and he called her "disgusting, rude and disrespectful". Insinuating that Natalia poached players is Vijay's point of view, but I personally left his team due to his previous behaviour as a coach.

Back to the social media post, he continued a barrage of insults against, Sabrina Lannabi, referred to as "the so-called keeper", that she "wasn't wanted in the team" and "is only there because of her friend" continuing to "carry on being used". All baseless lies and derogatory commentary within the entire paragraph.

I personally was referred to by Vijay as "the Aussie player" and being the only Australian on his team at that time, it was very obvious who it was about to all who read his post from the Regents Park Rangers. I felt discriminated against and humiliated by him. I have never been involved in any type of social media "bashing" before this post was made. Referring to me as "the Aussie" with a negative connotation made me feel like an outsider, or as a part of something separate. The words that succeeded this were also negative, and I believe were designed to intimidate, make me question myself, and make me feel inadequate.

He continued to refer to certain players, who we all very well knew, as "the Netballer" (Kate Gilbert) and "the German one" (Yana Ahlden) or even "the little one" (Valerie Ayala). This is all very concerning behaviour for someone in his position as a Coach for a women's club."

7.5 Witness Statement of Natalia Debek dated 27 September 2023:

"I, along with several other people, have been included in a social media post made by a previous coach Vijay Beekarry who's head coach of Regent's Park Rangers. The post has been made on 3rd September illustrating his unprofessional written statements which he made against his ex-players including myself and my new club. He's destroying image of Women's Football simply by expressing himself on social media platform where he names players in very rude way as such 'the German one', 'the little one' 'The Aussie player', 'the netball player'."

7.6 Witness Statement of Sabrina Lannabi dated 20 September 2023:

"The post was made by Vijay on his personal Facebook on the Sunday, 3rd September 2023. He insinuates that an ex-player of his who is Natalia Debek, as a person who poaches players, specifically from his team, called her on multiple occasions disgusting, rude, and disrespectful. Using facts, the reason I left and we all left was due to his behaviour and how he treated us on

the field during games and during training sessions, even worse when I announced to him that I was going to leave the club at season end.

In the social media post he mentioned me specifically and said I was a 'so-called keeper' (I had previously had hand surgery so did not play in goal for regents) and he told me this multiple times that he was 'annoyed' that I had not recovered quicker as he needed a goal keeper (I have 10 years GK experience). He continued by saying I was not wanted on the united dragons team and I was only there because of a friend. Telling me to 'carry on being used'"

7.7 Witness Statement of Haleena Gill dated 20 September 2023:

"Vijay made a very public post on Facebook slaying each player that had decided to leave his team due to his behaviour, harassment and abuse during games and during training sessions.

He started by labelling Natalia as a 'poacher', this is untrue we all decided to leave the team after asking multiple times to change his behaviour, but we saw no changes and he started to make me hate the sport and playing competitively. I have played at higher level, previously playing for Luton Town FC women's and never in my playing career have I ever come across a coach's behaviour like Vijay, to be honest he is a disgrace to women's football and women's empowerment.

He goes on the facebook post by describing people by their nationality & size. He refers to Kirsten (previous player) as 'the aussie' (which is not in the nice way) and another player Kate as 'the netball player' this is clearly making fun of her football ability by referring her to another sport. Furthermore, he carries on by calling Yana 'the german one' again describing her using her nationality which is unacceptable. He made another comment about a player Valerie by calling her 'the little one', again making fun of her height appearance, how can he get away with such comments?"

7.8 Witness Statement of Paula Lores dated 27 September 2023:

"My previous coach, Vijay Beekarry proceeded to post a horrendous and defamatory post on his personal Facebook (in a now deleted post) where he discriminated some of our players as retribution for leaving his club. This incident occurred on Sunday 3rd September at around 11pm. He attacked our ethnicity (citing some of us as "the Aussie, the German" as well as our physique ("the little one"). He wrote this social media post as he was angry that many of his ex-players decided to join a new club: United Dragons Women's First Team. He has been individually harassing us, trying to guilt trip us and make us regret our decision of leaving his club. This situation then escalated to him posting that Facebook post, publicly attacking us for the whole world to see."

7.9 Witness Statement of VB dated 6 October 2023:

"I am co founder, Chairman and Team Manager of Regents Park Rangers and have been for the past 19 years.

During the recent close season it came to my notice that one of the players had decided to leave the club and set up her own team in the GLWFL. I had no problem with her doing so until it became clear that her actions threatened this clubs very existence. It became apparent that she had been covertly recruiting players from this club offering the inducement of free football. Not only that but this individual had gone to our long held training ground and had openly tried to take our booking by deceit. I was and remain upset by the underhand way in which all of this took place. Somehow, we have managed to recruit sufficient players for the club to continue

and following the first game of the season I posted a Facebook message from my personal account on 3rd September 2023 following the first game of the season.

The intention of the post was to show that although the club and its remaining players and officials had been wronged we had rolled our sleeves up and recruited to a level that we had managed to survive as a club and began the season which was no mean achievement.

I had been asked many questions by players and other clubs in the league but had maintained a dignified silence but I felt now was the time to tell the truth of what had happened.

I have been asked to respond to some allegations and my response to each is detailed below:

1) Discriminatory language used by Mr Beekarry on his Facebook page posted on Sunday 3rd September, referencing former player's nationality.

It is correct that I referred to the nationality of two of the players who had left by referencing them as 'German' and 'Aussie'. There is absolutely no way that this is or was intended to be discriminatory in any way shape or form. I have purposely not named any individual when describing what has occurred and in these two instances this was my way of covertly identifying those who I was talking about.

I do not accept that the use of the words German and Aussie could be regarded as discriminatory in any way. Had I used additional words to describe their nationality then I could perhaps understand those words being regarded in this manner. I did not.

A cursory search reveals that the word 'German' is both a noun and adjective. It is used to describe a person of that nationality or the language itself. No where is it described as insulting, offensive or discriminatory in any way.

A similar search of the word 'Aussie' states that it is actually used as a term of endearment and is generally welcomed by fellow Australians in its use by others. Similarly, there is no where that it is described in any regard as insulting and is certainly not discriminatory.

It follows that I categorically deny using discriminatory words.

2) Abusive language used by Mr Beekarry on his Facebook page posted on Sunday 3rd September, referencing former player's appearance, and playing abilities.

"I deny the use of abusive language referencing former players appearance and playing ability.

It is important to take into account the context of this post which I have referred to in paragraph 1-4 of this statement.

I was careful to not use names to identify the individuals that I was referring to. I have not used abusive or vulgar language at any point and have only repeated what those players had said about their fellow team mates whilst representing my club. Those players of so called better ability amongst the group would constantly badger me at training and whilst car sharing in relation to some players and their perceived lower ability. They encouraged me not to select those players but I continued with selecting them. This often caused disruption but it is my policy to offer football for all providing those of lesser ability make a proper commitment. I make no apology for this personal policy and always ensure that all players present on match day are given playing time.

My point within the post was that those responsible for the mass exodus were in fact insulting and belittling towards those who they now claim as friends and team mates. I find the entire episode hypocritical and showing this was the purpose of that part of my post.

It is not me who has been openly critical of individuals playing ability but their own so called friends and team mates at their new club. I am merely repeating what those individuals have said in both my presence and others.

Ironically, some of the players involved have sent me messages to say thanks for what I did for them either when they left or during the past season(s) .”

Decision on Liability

8. As VB has denied the Charges, the Chair took into consideration all of the evidence before him in considering whether the Charges are proven.
9. The burden of proof is borne by Amateur FA that the Charges are proven on *the balance of probability*.
10. Put simply, this means that the Chair should be satisfied that it was more likely than not that VB made aggravated comments by reference to nationality in his Facebook Post.
11. The Chair having considered all of the evidence before him has found that the Charges are **not proven**.
12. The reasons for the Chair reaching this decision are as follows:
 - 12.1 The Chair has considered the Charges and the evidence in relation to the Charges. It is clear from the evidence presented to the Chair and the charge sheet that the basis of the Charges is the Post. Therefore, the Chair has not considered some of the detailed evidence made by former players of Regents Park Rangers that make a number of wider allegations about VB's conduct as the Regents Park Rangers coach. There is also evidence supporting VB's good character in the response to these detailed witness statements. The wider conduct of VB is not the matter in dispute in this present case and therefore the Chair does not consider these issues any further.
 - 12.2 The central issue therefore is whether the language used by VB in the post could amount to improper conduct aggravated by reference to nationality. The Chair notes that the allegation is that the words 'German' and 'Aussie' to describe former players is discriminatory.
 - 12.3 In determining liability, the Chair has considered the FA Rules. The predicate charge in this case is Rule E3.1 which stipulates that:

“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.”
 - 12.4 Rule E3.2 stipulates that:

“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.”

- 12.5 Upon reviewing the Post, the Chair does not consider that the Post satisfies the test for E3.1 or E3.2. Although it is notable that VB is frustrated in the Post on the defection of a number of his former players, it is clear to the Chair that he uses descriptive words to describe players with a view of anonymising them. He also has described individuals by reference to other characteristics, like the 'netball player'.
- 12.6 Simply referring to someone by their nationality to avoid naming them directly is not abusive, indecent or insulting but a statement of fact. The Chair does not consider that these statements on their own are capable of satisfying the charging or evidential threshold of improper conduct.
- 12.7 Accordingly, the Charges are found **not proven**.
13. There is a right of appeal against this decision in accordance with the relevant provisions set out in the rules and regulations of the Football Association.

Elliott Kenton
National Serious Case Panel Chair
3 November 2023