

# **Football Association Disciplinary Commission**

## **The Football Association on behalf of Surrey FA**

**V**

## **Old Coulsdon Colts FC – Case ID: 11510586 M**

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### **WRITTEN REASONS**

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#### **INTRODUCTION:**

1. This is a hearing summary and includes written reasons for the decision of the disciplinary commission (the commission) which sat alone on Monday 8 January 2024.
2. The commission was a non-personal hearing chaired by Bill Stoneham (National Serious Case Panel).
3. The following is a written record of the main points considered by the commission. It is a summary of the main evidence presented and is not intended to refer to all the points made in the evidence presented. The absence in these reasons of any particular point, or piece of evidence, should not imply that the commission did not consider any such point or evidence. For the avoidance of doubt, the commission carefully considered all the evidence that was submitted.

#### **THE CHARGE:**

4. The charge in question arose following a fixture between Old Coulsdon Colts Jets U14 FC (the club) v Dorking Wanderers Youth U14 Greens FC (the opposition), played on Saturday 21 October 2023.
5. Surrey FA issued a charge letter dated 08 December 2023. In this letter, Old Coulsdon Colts FC (the club) was charged under FA Rule E21 – failed to ensure spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any match. It is alleged that Old Coulsdon Colts failed to ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conducted

themselves in an orderly fashion and refrained from improper, offensive, violent, threatening, abusive, indecent, insulting, or provocative words and/or behaviour contrary to FA Rule E21.1. It is further alleged that the words and/or behaviour referred to 'colour' contrary to FA Rule E21.4. This refers to the comments: 'Oi Chalky', or similar.

## **EVIDENCE:**

6. Surrey FA provided the following evidence in relation to the charge:
  - I. An undated e-mail submitted by Laura Ghaemian (LG – club secretary);
  - II. three undated emails submitted by Richard Hainsworth (RH - club chairman);
  - III. an undated statement submitted by Steve Arpino (SA – club parent);
  - IV. an undated statement submitted by Andrew Colvin (AC – club assistant referee);
  - V. a further undated emailed submitted by RH;
  - VI. an emailed statement dated 24 October 2023 submitted by Jon Curry (JC – opposition manager);
  - VII. on 23 December 2023, the Surrey FA received an online response from the club stating that the charge was accepted and requesting that the hearing be dealt with by correspondence. No other submissions were included in the evidence pack supplied. There was no statement from the match official.

## **DETERMINATION:**

7. As the club had accepted the charges raised, the commission was solely concerned with determining the sanctions to be imposed. For clarity, it should be noted that having carefully and fully examined all the evidence, the commission was content to accept the plea offered. and sought the club's disciplinary record covering the previous five seasons.
8. The commission noted that the club has been open and frank about events on the day. They accepted that an unknown male attended the game and used much abusive language. They accepted that this person's behaviour was unacceptable and, though he was not recognised, they further accepted that he was associated with their club.
9. In their frank correspondence with Surrey FA, they have detailed their attempts to identify the person involved. Their efforts have been extensive, but unsuccessful. At no time do they refer to the person involved making any aggravated comments. The only reference to aggravated comments has been made by the opposition club, though Old Coulsdon Colts FC do not dispute the allegation made.

10. As the club had accepted the charge, the commission considered the club's disciplinary record based on the last five seasons. The club fields eleven teams and there are five previous misconduct charges listed, though none were deemed similar by the commission.
11. The commission had empathy with the club. In mitigation, considerable efforts have been made, although unsuccessful, to identify the culprit. Throughout Surrey FA's investigation, the club has been helpful and co-operative. The club has shown commendable responsibility and at no time have they attempted to deny or excuse what took place, though the commission did note that the club's responses concentrated on the foul and abusive language that was allegedly used. The use of such language does not form part of the charge raised. In their submissions the club make no specific reference to the alleged racist comment. This does appear in the charge and has been readily accepted. The commission also deemed the club to have an at least acceptable disciplinary record.
12. In terms of aggravating factors, the commission's only concern is why the club did not take firmer action against the culprit on the day? He was identified, his language was heard by many people but there seems to have been no attempt to intervene on a determined level.

## **THE SANCTION:**

13. For a proven charge of this nature, FA Regulations state that the sanctioning range is a financial penalty of between £0 - £200. The commission deemed this to be a mid-level offence. The referee avoided abandoning the game, and there is no indication of any upset having been caused among the young players, or indeed the spectators. Nevertheless, this does not excuse the unacceptable events that took place.
14. The commission, having carefully considered all the factors concluded that **Old Coulsdon Colts FC** be:
  - I. fined a sum of £30-00;**
  - II. the commission has significantly reduced the financial sanction imposed because of the club's previous record and because of the strenuous efforts made to identify the culprit. The commission deemed that the club has acted responsibly and will endeavour to ensure that such events are not repeated.**
15. There is a right of appeal against this decision in accordance with the relevant provisions set out in the Rules and Regulation of the Football Association.

Bill Stoneham

Chairperson

9 January 2023