

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

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

and

GOBIDAS MOHANADAS

DECISION AND WRITTEN REASONS

Preliminary Matters

1. These are the written reasons for the decision and sanction in relation to a non-personal hearing on 24 November 2021 following charges brought by Amateur FA against Gobidas Mohanadas (Case ID: 10568287M) (“**GM**”).

The Charges

2. GM 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 (the “**Charges**”).
 - (c) The particulars of the Charges are that GM has made a number of offensive posts by reference to protected characteristics on GM’s social media accounts and communication devices.
3. GM has failed to formally respond to the Charges. Accordingly, pursuant to the FA Rules and Regulations, a non-personal hearing has been convened and it is assumed that GM has denied liability in connection with the Charges.

The Evidence

4. This matter relates to several posts that GM has made on social media and on WhatsApp. For the purposes of these written reasons and in the interests of transparency, these comments are repeated herein, although it should be noted that some are extremely offensive. The comments repeated herein will be collectively referred to as the “**Comments**”.
5. 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 it determined the matter. For avoidance of doubt, the Chair has carefully considered all the evidence and materials furnished in this case.

6. The Chair has before him the following evidence:
 - 6.1 A Facebook post from GM's account, which screenshots a WhatsApp message between GM and an unidentified individual. In the WhatsApp message, GM has made a comment about converting to the Church of England after attending St Paul's Cathedral. In response, an individual states that this was not appropriate to raise with the team and a few people have raised issues with it. In the Facebook tag, he tags 'Coon'.
 - 6.2 A WhatsApp exchange with 'Frederico' whereby Frederico states that he no longer requires GM's services for his sessions. GM responds 'Too bad, I'm English papist scum. Go back to mum in Italy, God Save the Queen, Brexit'
 - 6.3 A Facebook post from GM's account with a picture of two players celebrating. GM has hashtagged #NotSureWhyMumSupportsthem #africancoon.
 - 6.4 A Facebook post from GM's account of a 'Stone Island' shop window with the caption 'PakiBashing' 'Godsavethequeen' 'Brexit'.
 - 6.5 An Instagram post by 'Aquilagmohanadasmasterbolt' which screenshots an article with Home Secretary Priti Patel with hashtags 'SheLikesGoradick' 'ForzaiNews' 'DesiSellouts' 'TeamHindu' 'Desi' 'IBetSheMadeAPornoWithJesusTheBattyman'.
 - 6.6 An Instagram post by 'Aquilagmohanadasmasterbolt' of a wedding invitation hashtags "FaggotGetsNailedInnit" 'TellJesusToStyDeadOnTheCrossFaggot' amongst others.
 - 6.7 An Instagram post by 'Aquilagmohanadasmasterbolt' of the DMX album 'Grand Champ' and with the following hashtags 'PritiPatelAreYouBusyFuckingYourNigga' 'UKFuckingHomeOffice' 'BlowjobsInTheOffice' 'FuckMe'.
 - 6.8 An Instagram post by 'Aquilagmohanadasmasterbolt' of an article entitled 'Was Jesus gay? Probably' with hashtags 'Eww' 'FuckJesus' 'Battymansuzie'.
 - 6.9 An Instagram post by 'Aquilagmohanadasmasterbolt' of a wall carving with captions 'WhyisGaneshHere' 'TeamMuraga' 'JesusLikesARubDownWithMosesFaggots'.
 - 6.10 An Instagram post by Aquilagmohanadasmasterbolt' of a sculpture with captions 'TellJesusHeKnowsWhereHeLikesHisBibleUpTheFaggotsArse'.
 - 6.11 A number of Facebook posts by GB questioning or undermining rape and sexual abuse with captions such as 'rapeforfun'
 - 6.12 A Twitter post which reposts an article relating to England's stadium ban over the Euro 2020 final. 'Gobidas' captions 'UntilYouMissAPenalty' with an emoji of a baboon.
 - 6.13 An Instagram post captioning the Amateur FA's email in relation to their reports of his discriminatory posts. He tags 'WhiteisRight' amongst others.
 - 6.14 Emails between Melanie Armstrong and GM whereby the Amateur FA notify GM of an interim suspension notice. GM responds 'High Priority, Go Fuck your mum faggot, Warmest Wishes, G'.

- 6.15 Further posts by GM on social media in relation to the charges. These include screenshots of his response to the County FA as set out above and further tweets with hashtags 'AToastToTheAmateurFuckingFA' 'Faggots'.

Decision on Liability

7. As GM has denied liability for the Charges, the Chair took into consideration all of the evidence before him in considering whether the Charges were proven.
8. The burden of proof is borne by Amateur FA that the Charges are proven upon *the balance of probability*.
9. Put simply, this means that the Chair should be satisfied that it was more likely than not that GM has used foul and abusive language and made a number of aggravated comments by reference to protected characteristics on social media.
10. The Chair having considered all of the evidence before him has found that the Charges are **proven** on the balance of probabilities.
11. The reason for the Chair reaching this decision are as follows:
- 11.1 Rule E3.1 and E3.2 state that
- "E3.1 - 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.*
- E3.2 - 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."*
- 11.2 Amateur FA have collated a comprehensive amount of reliable evidence from social media accounts associated with GM including his Facebook account 'Gobidas Tamil Tiger Mohanadas', his Instagram account, 'Aquilagmohanadasmasterbolt' and his Twitter account 'Gobidas' as well as from WhatsApp messages from GM.
- 11.3 The Comments referenced by GM are extremely offensive, indecent and insulting. They are aimed at a number of groups with protected characteristics including religion or belief, gender, sexual orientation, nationality and ethnic origin and race and seek to disparage or otherwise insult these groups.
- 11.4 In the Chair's view, the Comments represent a campaign of abuse instigated by GM for the sole purpose of causing offence. When challenged by the Amateur FA, rather than being reticent, GM continues his barrage of abuse by screenshotting correspondence and commenting or hash-tagging with further insulting and offensive language aggravated by reference to a protected characteristic.
- 11.5 The Chair is satisfied that on the balance of probabilities, it is more likely than not that GM used foul and abusive language and this is referenced by a multitude of protected characteristics through his Comments.
- 11.6 The Chair further finds that GM behaviour is improper and has brought the game into disrepute contrary to Rule E3.1.

Decision on Sanction

12. As the Chair has found the Charges proven, the Chair considered the appropriate sanction to impose.
13. In doing so, the Chair consulted GM's disciplinary record and noted that prior to this case, there were a no relevant disciplinary offences.
14. The Chair referred to FA Rules and the Disciplinary Sanctions Guidelines issued by the FA. For Aggravated Breaches, the sanction range is between 6 matches and 12 matches but a Regulatory Commission may impose an immediate suspension in excess of 12 matches in circumstances where aggravating factors of significant number and weight are present.
15. The Chair considers that this is a very serious case. Not only are the Comments extremely offensive and improper, but they target a multitude of protected groups. Further, these disciplinary proceedings have not seemed to deter GM from his conduct and he has circulated a number of offensive posts by reference to Amateur FA charging him with these offences.
16. It is at the Chair's discretion to vary a sanction where there are aggravating or mitigating factors present.
17. The Chair considered if there were a multitude of aggravating features present in this case including:
 - (a) The repeated use of discriminatory language during the commission of the offending.
 - (b) The Comments are predominantly made on social media and within the public space.
 - (c) Failure to cooperate the FA's investigation, further aggravated by attempts to undermine the disciplinary process.
18. When applying the various aggravating features of this case against the backdrop of the seriousness of the offending, the Chair deemed it appropriate to sanction beyond the sanction range, as he is permitted to do by the FA Disciplinary Regulations.
19. Accordingly, GM is sanctioned as follows:
 - (a) A seventeen (17) match suspension from football and all football activities, backdated from the date of the interim suspension order.
 - (b) A fine of £150 to be paid by the end of that suspension period;
 - (c) An education programme to be undertaken before the suspension is served, the details of which shall be provided by the FA. On this occasion, the Chair considers it appropriate that the education programme is conducted in person.
 - (d) 5 penalty points.
20. 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.

E Kenton
National Serious Case Panel Chair
23 November 2021