

**Matter:** FA Rules of the Association 2022/23 E3.1 Improper Conduct  
**Ref:** 110197920M  
**Decision date:** 22 December 2022

**Decision of the Football Association  
Single Panel Chair  
Amateur Football Alliance**

**Participant:** Jimmy Ling [5117797]  
**Participant's club:** Crouch End Vampires 3rd  
**Opponent Club:** Old Garchonians Reserves

**1. Charge/Allegation**

1.1 I have considered the following charge against Jimmy Ling:

‘FA Rule E3 - Improper conduct against a match official (including threatening and / or abusive language / behaviour).

Details: It is alleged that Jimmy Ling used threatening and/or abusive and/or indecent and/or insulting language/behaviour contrary to FA Rule E3.1 and it is further alleged that this constitutes Threatening Behaviour Against a Match Official as defined in FA Regulations. This refers to the allegation that Mr Ling verbally abused and/or threatened the match Referee, or similar, after which the match Referee felt shaken.’

**2. Decision**

2.1 I find the charge of improper conduct against a match official proved.

2.2 The reasons for my decision are contained in section six.

**Sanction**

2.3 I suspend Mr Ling from all football activity for 126 days.

2.4 I fine Mr Ling £70.

2.5 Mr Ling must complete an online education course. He remains suspended until the course is completed.

2.6 I impose six penalty points on Mr Ling's club Crouch End Vampires.

**3. Relevant FA Rules**

3.1 Rule E3.1 of the FA Rules of Association 2022/23 states that a participant shall at all times act in the best interests of the game and shall not:

3.1.1 Act in any manner which is improper or brings the game into disrepute, or uses any one, or a combination of violent conduct, serious foul play, threatening, abusive, indecent, or insulting words or behaviour

- 3.2 If I find the charge proved under rule E3.1 I may impose any sanction or penalty including a fine, warning or reprimand (paragraph 4.1 General Provisions - FA Disciplinary Regulations 2022/23).
- 3.3 In imposing a penalty, I must apply any standard sanctions as may be communicated by the FA. I may only depart from the standard sanctions where I consider it appropriate having regard to the facts of an individual case (for example, where a particular act of misconduct is sufficiently serious that the guideline sanction would not constitute a sufficient penalty for the misconduct that has taken place (paragraph 4.2.1 General Provisions - FA Disciplinary Regulations 2022/23).
- 3.4 **Offences against match officials:** the categories of offence against match officials include:
- 3.4.1 Threatening behaviour, words or action that cause the match official to believe that they are being threatened. Examples include but are not limited to the use of words that imply (directly or indirectly) that the match official may be subjected to any form of physical abuse either immediately or later, whether realistic or not; the raising of hands to intimidate the match official; pretending to throw or kick an object at the match official [Rule 96 Section Three FA Disciplinary Regulations 2022/23].
- 3.5 **Sanction:** If I find the charge is proved, the following sanctions apply (FA Disciplinary Regulations 2022/23):

#### **Threatening behaviour**

Rule 101.1: Suspension from all football activity for a period of between 56 days and 182 days. The recommended entry point prior to considering any mitigation or aggravating factors is 112 days.

Rule 101.2: A fine of up to £100, with a mandatory minimum fine of £50.

Rule 101.3: An order that the participant completes an education programme before the time-based suspension is served.

Rule 102: I shall have regard to any aggravating and mitigating factors.

- 3.6 The standard of proof is the balance of probabilities. This means that I am satisfied an event occurred if, on the evidence, the occurrence of the event was more likely than not to have happened. It is for the FA to prove the case to this standard.

#### **4. Documents**

- 4.1 I received and considered a bundle of documents consisting of 18 pages.
- 4.2 A misconduct charge notification letter was sent to the Crouch End Vampires club secretary on 5 December 2022. On 19 December 2022 Mr Ling denied the charge and requested the matter is dealt with on the papers.

## **5. Summary of background and the referee's report.**

- 5.1 On 19 November 2022 Old Garchonians played Crouch End Vampires in the Southern Amateur League. The referee Jake Hinckson reported the following:
- 5.1.1 Jimmy Ling had already been warned about his behaviour. He told both the team captain and Mr Ling that he needed to calm down as he had already come into his face and was shouting at him.
  - 5.1.2 Following this Mr Ling started shouting at him saying he was going to hurt him after the game. He came into his face again. The referee was shaking at the time.
  - 5.1.3 Mr Ling's team mates started saying things to him. He had to stay calm so that the game was not abandoned.
  - 5.1.4 Mr Ling was very abusive towards him and needs to stop before he does something to another referee. Mr Ling did not play any further part in the game after this incident happened which is why he did not take any further action. He wanted to diffuse the situation as he had just given a goal against Mr Ling's team.
- 5.2 In an email sent on 21 November 2022 the referee expanded on what happened. He said that he told the captain that if Mr Ling's behaviour continued, he would send him to the sin bin.
- 5.3 The referee said he could not remember exactly what Mr Ling said but that he was in his face telling him what a bad referee he was and that he was performing badly. This view spread to Mr Ling's team mates and their supporters on the side lines, and he heard them make comments throughout the game.
- 5.4 On 24 November 2022, following a request for further clarification from the Alliance Football Services Manager, the referee said that Mr Ling 'came right in my face and said I'm going to hurt you. How could that be directing his feelings at anyone but me'. He was upset at him, and it was the second time Mr Ling came to his face. The referee said, 'He knows what he has done and now is trying to get out of what he has done'.
- 5.5 Kaya Gavan, the Old Garchonians captain said in his statement dated 24 November 2022 that there was a lot of abuse towards the referee from the Crouch End players throughout the game. He was substituted at the time of the incident, but he heard the player (who he later confirmed was Mr Ling) shouting and squaring up to the referee saying he would bite his nose off. The referee ran to the side line to get a note pad or the team sheet to take the name of the player. However, the referee chose not to send him off.

### **Response from Jimmy Ling / Couch End**

- 5.6 Mr Ling replied to the incident on 23 November 2022. He said that he was abusive towards his goalkeeper. A goal was scored, and he was passionate and upset. He used colourful language as a result which he understands is completely unacceptable. The referee was standing in close proximity, but the comments were not aimed at him.
- 5.7 Mr Ling said he apologised to his team mates, and he was substituted immediately after the incident. He has since been spoken to by the captain and the club's

disciplinary person and understands it was wrong. He apologised for any offence caused by his actions.

- 5.8 In a statement dated 23 November 2022, Luke Green the team captain said Mr Ling was frustrated because a goal was scored just after they had equalised. Mr Ling shouted at their goalkeeper in frustration. They took him off as they do not tolerate this behaviour. As he was walking off Mr Ling also used abusive language that was aimed at his team.

## **6. Reasons**

- 6.1 I find that Mr Ling was abusive and threatening towards the referee. His conduct was improper and brought the game into disrepute. This was in breach of rule E3.1.

- 6.2 I find that the words and actions of Mr Ling towards the referee caused him to shake and he implied that the referee may be subjected to physical abuse.

- 6.3 I have made the above findings for the following reasons:

6.3.1 The report of the referee was clear and persuasive. Mr Ling was frustrated at a goal having been scored against his team. He was shouting and swearing, and Mr Ling admitted he used 'colourful language'.

6.3.2 The captain for Old Garchonians supported the referee's account stating that he heard Mr Ling say he would bite the referee's nose off. Also, that Mr Ling was shouting and squaring up to the referee. The referee said Mr Ling was 'in his face' twice during the game. When the incident happened, the referee said he was shaking.

6.3.3 Mr Ling denies any improper conduct towards the referee and states that he was shouting and swearing at the goalkeeper. As he walked off, his team captain said Mr Ling used abusive language towards his team mates. I do not find this persuasive or plausible. The captain and Mr Ling were both spoken to by the referee who asked the captain to have a word with Mr Ling. At this point, given his frustration with the referee, Mr Ling became abusive and threatened the referee. The captain makes no reference to the conversation with the referee in his account. I find no reason to doubt what the referee reported.

6.3.4 It was apparent that there was an issue with Mr Ling's behaviour during the game and the referee warned him. His behaviour continued and although I accept Mr Ling may have been angry with the goalkeeper, it is probable that he decided to aim his anger at the referee who he was unhappy with throughout the game. The referee was also speaking to Mr Ling and the captain at the time of the incident.

6.3.5 I also find it more probable that Mr Ling was substituted immediately after the incident for his behaviour towards the referee rather than toward the goalkeeper. The referee was looking for a note pad to take Mr Ling's name. It appears the team official decided to substitute Mr Ling at this point.

6.3.6 The referee states that Mr Ling threatened to hurt him after the game. The Old Garchonians captain said he heard Mr Ling say to the referee that he

would bite his nose off. I accept this account of events based on the demeanour and reaction of Mr Ling to the goal.

6.3.7 For these reasons I find Mr Ling's conduct was improper and this included threatening the referee.

### **Sanction**

- 6.4 Mr Ling has admitted his behaviour was unacceptable, although he says it was towards the goalkeeper. I note the team captain and disciplinary officer spoke to Mr Ling about his conduct and he apologised for his behaviour.
- 6.5 However, the conduct of Mr Ling continued when he was warned, and it appeared to have been picked up and spread to his team mates. His behaviour caused the referee to shake, and his conduct was serious. It resulted in his team taking him off the pitch. This is an unacceptable way to treat a referee or any match official and are aggravating factors. Another aggravating factor is that Mr Ling has one previous misconduct charge for improper conduct. He was fined and suspended for three matches from July to October 2022.
- 6.6 Due to the aggravating factors and the seriousness of the conduct, I have decided to impose a sanction greater than the standard minimum. Mr Ling is suspended from all football activity for 126 days and fined £70.
- 6.7 Mr Ling must complete an online education awareness course. The details of this will be provided by the FA. He remains suspended until he completes this course.
- 6.8 I impose six penalty points on the club Crouch End Vampires.

### **Appeal**

- 6.1 Mr Ling can appeal by providing notice of his intention to do so within seven days of notification of my decision (the notification date). He must provide his grounds of appeal within fourteen days of the notification date (Disciplinary Regulations 2022/23).

Miss N Zulfiqar  
Serious Case Panel Chair