

# THE FOOTBALL ASSOCIATION DISCIPLINARY COMMISSION

*Sitting on behalf of Amateur Football Association*

## NON-PERSONAL HEARING

*of*

**OLD IGNATIANS**

*and*

**THOMAS CODD  
OLD IGNATIANS**

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## THE DECISION AND REASONS OF THE COMMISSION

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### **Introduction**

1. These are the written reasons of Davide Corbino (“Chair” or the “Commission”), having considered the matter on papers as Chair alone on a Non-Personal Hearing basis.
2. These written reasons contain a summary of the principal evidence before the Chair and does not purport to contain reference to all points made. The absence in these reasons of any particular point, piece of evidence or submission should not imply that the Chair did not take such point, piece of evidence or submission into consideration when determining the matter. For the avoidance of doubt, the Chair has carefully considered all the evidence and materials furnished in this matter.

### **The Charge**

3. By a Misconduct Charge Notification dated 23 March 2023 issued by the Amateur FA, Old Ignatians (“The Club”) was charged with a breach of FA Rule E21.

4. More particularly, it is alleged that the Club 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 made reference to sexual orientation, contrary to FA Rule E21.4. This refers to the comment “ref, you can overrule him you poofta” or similar.
5. By a Misconduct Charge Notification dated 23 March 2023 issued by the Amateur FA, Thomas Codd was charged with a breach of FA Rule E3 – Improper Conduct against a Match Official (including abusive language/behaviour).
6. It was alleged that Mr Codd used abusive and/or insulting words towards the Match Official by saying "cunt" or similar and/or "fucking idiot" or similar and/or "you don't know what you doing" or similar.
7. Both parties accepted the charges they faced and elected for their cases to be dealt with by way of correspondence. Accordingly, this matter had been dealt with me, as Chair alone, on a Non-Personal Hearing basis.
8. As the offences were alleged to have been committed during and after the same match and there was related or common Association evidence, the proceedings against each of the parties were consolidated, as per Regulation 13 of FA Disciplinary Regulations, and were therefore considered at a joint hearing.
9. Whilst the Commission considered all charges against Old Ignatians and Mr Codd under these Consolidated Proceedings, these Written Reasons are only for, and in relation to, the charges that the Club faced.

## Evidence

10. As aforementioned, the following is a summary of the principal evidence only. Where the written statements provided to the Commission contain typographical and/or grammatical errors, they have been recorded as drafted, without correction, to provide a true and accurate reflect of the evidence which has been submitted.

11. Following the fixture between Old Ignatians Fifth and Old Parmitterians Fifth on 11 March 2023, Les Kyprianou the Assistant Referee, submitted an Extraordinary Incident Report Form dated 13 March 2023. The report states, inter alia:

*“...the Ignatian supporters behind me erupted with abuse directed at me. When it became obvious that the goal would stand, there was a shout of “ref, you can overrule him you poofta”. I ignored it as I didn’t know who said it and mentioned it to the ref a little while later. The abuse towards me continued for the rest of the game, with a stout man possibly in his late fifties mid sixties and wearing a blueish woolly (e.g beanie) hat, particularly prominent.*

*Late in the second period of extra time as I went past this man, he called me a “doughnut”, “dickhead” and “fucking old git” all in one sentence. I called the referee over and he asked the Ignatians support to remove himself, but the latter refused...*

*...During over more than 20 years of officiating in he AFA and youth leagues, this is one of the worst instances of abuse that I have experience and most certainly the longest. It made the whole occasion a very unpleasant experience for me.”*

12. Ricardo Reynolds, the Referee, submitted an Extraordinary Incident Report Form dated 13 March 2023. The report states, inter alia:

*“...I’m writing up this report in regards to the abuse that one of my assistants received during the game from old ignatians spectator I personally didn’t hear it myself. But when my assistants call me over to speak to the guy, he was still giving my assistants abuse by calling him a*

*cheater and that he doesn't know how to do a linesmen job. I asked him to leave the side of the pitch area and he's reply back was that it's a public area and I can't tell him to go..."*

13. Bob Leeds, the Competition Secretary, submitted a statement dated 13 March 2023, which states, inter alia:

*"I was flitting between two cup finals and as I was walking back to the Ignatians v Parmiterians 5<sup>th</sup> XI Final I was approached by a lady who asked me if I was in charge, I said that I was the competition secretary, she said that there was a spectator verbally abusing one of the assistant referees and could I do something about it as it was upsetting her children. I told her that the referee was the sole arbiter of the game but I would go over and see if I could calm him down.*

*As I approached the touchline, I clearly heard a spectator shout towards the linesman Les Kyprianou, from about 5 yards 'WHEN WAS THE LAST TIME YOU TOOK A COURSE' he continued to berate the Mr Kyprianou, calling him 'A FUCKING OLD GIT' and telling him to get in line and keep up with play. He also said loudly 'YOU SHOULD RETIRE' ...*

*... I do not know the spectator but he was over 6 feet tall wearing a blue coat and a grey woollen hat and clearly was supporting Old Ignatians..."*

#### The Clubs' Response

14. As aforementioned, the Club accepted the charge.

15. John O'Brien, the Club Secretary, submitted a statement on behalf of the Club, which states:

*"We have pleaded guilty to the charge of failing to control the spectators at the game above.*

*The person involved was not somebody known to our club and has never been a member of our club. We understand that they were a friend of the mother of one of the players.*

*However we should have approached him and asked him to cease what he was doing and we failed to do this. We have no defence against this charge.*

*We can only apologise for our failure to act and we have to accept whatever punishment is deemed appropriate."*

## **Sanction**

16. The Club accepted the charge it faced, and thus the Commission formally records that the charge is found proven by admission. The task of the Commission is to determine sanction.
  
17. I have had regard to the FA Sanction Guidelines, which is referred to in the Charge Notification.
  
18. The Sanctions guidelines for teams at this level are as follows:  
Low: £0-£70 fine.  
Medium: £70-£140 fine.  
High: £140-£300 fine.
  
19. It is trite to say that discriminatory language has no place at a football match. The use of such was abhorrent and wholly unacceptable. This was a serious aggravating factor which meant that the Commission considered that this case fell within the High category of the FA Sanction Guidelines. The Commission also noted that abuse directed towards the Assistant Referee was sustained; there was repeated use of offensive and abusive language.
  
20. In terms of mitigating factors, I noted that the Club had no relevant disciplinary history, pleaded guilty to the charge and recognised and had apologised for their failure to act.
  
21. Having considered all of the circumstances in the case, the Commission imposes a financial penalty of £140.

## **Outcome**

22. For the reasons set out above:
  - i. The Charge is found proven by admission.
  
  - ii. Old Ignatians shall be fined £140.

23. This decision is subject to the right of appeal under the relevant FA rules and Regulations.

**Mr Davide Corbino**

4 April 2023