

## **DISCIPLINARY COMMISSION**

Sitting on behalf of the Berks & Bucks Football Association

IN THE MATTER OF A PERSONAL HEARING FOR A CHARGE RAISED FROM A MATCH BETWEEN RISBOROUGH RANGERS V WINSLOW UNITED F.C. ON 29<sup>TH</sup> DECEMBER 2018

### **DECISION & WRITTEN REASONS OF THE DISCIPLINARY COMMISSION**

#### **BACKGROUND & HEARING**

1.. The Disciplinary Commission (“the Commission”) convened on Monday 27<sup>th</sup> February 2018 at 7 pm by way of a personal hearing to adjudicate in respect of a charge brought by Berks & Bucks Football Association (“Berks & Bucks FA”) as a result of alleged misconduct in a match by Rondell Joe between Risborough Rangers FC and Winslow United FC on 29<sup>th</sup> December 2018.

#### **THE COMMISSION**

2.. The members appointed to the Commission were:-

Mr. John Martin ( Independent Chairman )  
Mr. Ron Bennett ( Berks & Bucks FA appointed )  
Mr. Chris Hodges ( Independent panel member )

3.. Mr. Alastair Kay (Berks & Bucks FA) assisted the Commission as Secretary.

#### **THE CHARGE**

4.. Berks and Bucks FA charged Rondell Joe of Winslow United as follows:

FA RULE E3.. Improper Conduct against a Match Official ( including threatening and/or abusive behaviour )

#### **THE PLEA**

5.. Mr Joe denied the charge and asked for the case to be dealt with by a personal hearings

#### **THE BURDEN AND STANDARD OF PROOF**

6.. Berks and Bucks FA brought the charge against Mr. Joe and therefore it was necessary for Berks and Bucks to satisfy the Commission that he was guilty of the charge. In order to find him guilty the Commission had to be satisfied of his guilt on the balance of probability ( ie find that it was more likely than not that he was guilty ).

#### **THE EVIDENCE**

7.. The following is a summary of the principal evidence and submissions provided to the Commission. It does not purport to contain reference to all the points made; however the absence in these reasons of any particular point or submission should not imply that the Commission did not take that point or submission into consideration when the members determined the matter. For the avoidance of doubt the Commission has carefully considered all the evidence submitted with regard to this case.

8.. The Commission's evidence was written documents prior to the hearing comprising :

A written statement from the Match Referee, Emmanuel Unuafe  
A written statement from the Senior Assistant Referee, Vince Neale  
A written statement from the other Assistant Referee, Paul Bennett

9. At the Personal Hearing Mr. Joe had 2 witnesses which provided verbal evidence. Andy Setterfield, Winslow Team Chairman, who attended the match & Paul Alleyne, Winslow Team Manager at the match.

10.. At 7 20 pm The Match Referee, Mr. Unuafe, provided the first evidence. His report was read by the secretary.

‘ At the end of the game Rondell Joe came onto the pitch and began acting aggressive making threatening remarks like why would you send the player off when you knew that was a foul tackle which could have broken his leg. Or do you want your leg to be broken. He was becoming very aggressive. I asked my assistants to walk away to avoid further confrontation. Even as we tried walking off he still continue saying or do you want your leg to be broken. My team and I felt threatened of being harmed’.

Mr. Joe intimated that had seen and read this report prior to the hearing. Mr. Unuafe had nothing to change or amend in his report.

11.. Mr. Joe then asked a few questions of the match referee based around his view of threatening behaviour. The match referee repeatedly stated that he thought his verbal actions were threatening and alarming. Mr. Joe consistently denied that he wished any form of harm on the officials, he was just making his point about a poor tackle.

12.. The commission then asked questions to the Match Referee. These initially centered round incidents in the game, which the referee stated was challenging as per a normal local derby but never out of control. The referee had 1 caution and 1 sending off. The sending off of a Winslow player was due to foul and abusive language aimed at the referee after a free kick was not awarded to him. The referee informed the commission that there were no other flashpoints in the game. The commission asked further questions regarding Mr. Joe and his comments on the pitch when handshakes were occurring between players and the officials in the centre circle. No bad language was used and Mr. Joe was a reasonable distance away as his protestations were uttered. The match referee thought Mr. Joe’s comments were aimed directly at him. The commission asked why the referee did not use a sanction towards Mr. Joe as he was a named substitute. He stated that as he was wearing a black club coat he thought he was from the management. Only later in his changing room was he informed of his name and his substitute role.

13.. The senior assistant referee, Mr. Neale then was called into the hearing. Mr. Kay read his evidence and Mr. Joe asked him some relevant questions. He asked about his behaviour during the game and Mr. Neale stated that he had asked him to sit down once. Mr. Neale said that Mr. Joe continued to question the referee after the game about his decisions. When questioned by commission members Mr. Neale could not remember any factual evidence relating to timings of match incidents or actual events during the 90 minutes which had any bearings on the case. He only remembered incidents after the game in the centre circle. These mirrored the written comments of the match referee.

14.. The other assistant referee, Mr. Bennett was then called to give evidence. His report was read out and Mr. Joe had the opportunity to ask questions. He was on the far side of the pitch, not dug out side, so he heard little relating to match incidents or interactions between his colleagues and players or team management. He commented that Mr. Joe was making loud, aggressive comments in the centre circle after the final whistle but in hindsight he had realised that he was complaining about a poor tackle on his player not directly attacking the referee. He agreed with Mr. Joe that there had been a very robust tackle towards the end of the game. When commission members asked questions he intimated that Mr. Joe was asking questions of the referee.

15.. Mr. Joe then gave his own evidence. This was based around his compulsion at the end of the game to ask the referee questions about the tackle on his player which he thought deserved stronger actions. A free kick had not even been awarded. His player had reacted and been sent off for verbal abuse but the poor tackler had got off any punishment from the referee. He continued to say that his actions were just questioning and not overly aggressive or threatening. He felt the referee had not understood his purpose and the conversation between them was 'lost in translation'. The commission then asked for clarification on his movements and comments which Mr. Joe agreed were as per the reports already quoted.

16.. Mr. Joe then called his first witness, Mr. Alleyne, Winslow Team Manager. Mr Alleyne was asked various question which summed up Mr. Joe's actions which he said were not in any way threatening. He was just making a point about a poor tackle on his player. Mr. Alleyne said that Mr. Joe did not get too close to the officials and no poor language was ever used.

17. Mr. Joe then called Mr. Setterfield, Winslow Chairman who was at the game. He stated that he watched the game but failed to hear any interactions between players and the match referee or comments between Mr. Joe and the Senior AR. He watched the incident after the game but was too far away to hear comments. He said the match official walked past him when leaving he pitch and everything seemed ok.

### **THE HEARING**

18.. The Commission studied and discussed the evidence with care, and throughout they were conscious of the burden and standard of proof of improper conduct against a Match Official Including threatening and/or abusive behaviour

### **THE DECISION**

19.. The Commission, after full deliberation, unanimously decided that the charges against..

Mr Rondell Joe ..... Not Proven

### **REASONS FOR THE DECISION**

20.. The commission unanimously agreed that Mr. Joe was trying to make his point regarding his player who was sent off after a very poor tackle, ( his view of the incident ) not in any way trying to threaten the official with his comments. Whilst all the commission agreed his manner could have been calmer he was just questioning the referee about his decision not making a personal attack on him. He now realised that his words could have been misunderstood but that was never his intention. The commission felt that the Assistant Referee also agreed with this summation in hindsight.

John Martin – Chairman

28<sup>th</sup> February 2019