

Case 10508328M

The Football Association Disciplinary Commission sitting on behalf of Berks& Bucks FA In the matter of Lee Welch (56567057) Hearing date Friday 08/10/2021 Written Reasons for Decision

These are the written reasons for the FA Disciplinary Commission decision made on Friday 8th Oct 2021

1. The panel member was Mr R Purkiss MBE (Chairman) sitting alone, appointed by the FA
2. Fraser Williamson of the FA acted as Secretary to this panel.
3. Lee Welch (56567057) was charged, on the 30/09/2021 with a breach of FA Rule E3– Improper Conduct-Assault or Attempted Assault on a Match Official.
4. Alternative Charge Improper Conduct against a match official (including Physical contact or attempted physical contact and threatening and /or Abusive Language /Behaviour).
5. This alleged misconduct occurred following a match between OB City 1st V Thames Valley Raiders First, in the BBFA Trophy on Sunday September 26th, 2021

6. **Relevant FA Rules**

Rule E3 (1) provides that:

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 dispute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.

7. Lee Welch responded to the charge, on the 2/10/2021, pleading not guilty and for it to be dealt with by correspondence. He was the Manager/Linesman on the day.

8. The full bundle of evidence provided to the Commission consisted of: The charge notice, statements from the Referee (Andrew Halladay), Lee Welch (alleged Offender), Chris Geary (OB City) , Shaquille Pinnock (Player TVR), Shaun Gumbs (Captain TVR)
9. The referee reported that **“I sent off Amin Knomsi for saying “I cheated them out of a decision” that didn’t go Thames Valley Raiders way. Following this, Lee Welch threw my flag that I provided him with as he was the current linesman. There was a bundle of bodies, I explained that Amin pretty much called me a cheat, Lee then walked off saying he didn’t want the team to play the game, he then threw the flag aggressively hitting me in the head. I then showed him a red card.”**
10. The referee further reported that: **“I saw him look at me whilst throwing the flag, Not sure if he was aiming for my head but definitely directed at me in aggression. Lee threw it from my left. Once I said that you threw it at me, he responded I was passing it back, but he knows what he was doing.”**
11. Lee Welch Stated:” **I hold up and regret to inform you that I did throw the flag but not in aggressive manor there was no intention of hitting the ref, but I am sorry it has actually hit him I was not aware until I was told by one of my players as I turned away whilst throwing in the air. It is not an excuse in anyway as my action was not acceptable, but I was frustrated by the action of my players, but I do want to make it clear I did not mean to hit anyone I just threw it in the air out of frustration. I will accept full responsibility for my actions but reiterate that there was no malice in this it was just out of pure frustration and accidental that he was hit”.**
12. Chris Geary (OB City) stated, **“He was about 10ft away from the incident, TVR players were surrounding the referee and that Mr Welch coming over did not help the situation. upon learning the reason behind the red card and the sin bin, the Lino (Mr Welch) threw his flag in frustration Not aimed at anyone but actually away from the group of players. Unfortunately, the flag did catch one of the OB City players, but it was a light touch and completely accidental. I can confirm that there was no malice in the throwing of the flag or any aim towards anybody on the pitch, including the referee. Poor attitude maybe, but no intention to hurt or harm anyone-pure frustration at the decisions only”**
13. Shaquille Pinnock (Thames Valley Raiders) Stated; **“I was stood on the touch line at the time of the incident about 5 ft away from what happened. Once Lee had learned the reasoning behind the red card and the sinbin, he got frustrated and**

tossed the linesman's flag in the air, this was not directed at anyone before we knew it the referee was sending off our manager and accusing him of throwing the flag at him when this was not the case at all. The OB City players confirmed that the flag hit one of their players and not the referee at all"

14. Shaun Gumbs (Captain TVR) Stated **"When the Manger/Lino struggled to get a straight answer from the ref as to why he gave a red card and sinbinned another player, he threw the flag away from the group in frustration and I did see it brush an OB City player in which I apologised as it was obviously unintentional"**.
15. The Chairman reviewed the submitted statements and the evidence provided by the witnesses. For the avoidance of doubt, the Commission has carefully considered all the evidence and materials furnished regarding this case.
16. Lee Welch, by his own admission, acted Inappropriately and reacted to the referee after one of his players had been shown a red card. He admits throwing away the linesman's flag, which the referee had provided him with. The commission had to determine if this was an Assault upon the Referee or a Physical contact arising out of improper conduct. The commission was swayed by the evidence of the opposition directors report and the consistency of the other two observants.
17. After considering the information provided to it, the Commission found that.

Charge 1 E3 Improper conduct- Assault or Attempted Assault on a Match Official- NOT PROVEN

Alternative charge- Improper conduct against a match official (Including Physical contact, Threatening/and abusive language and behaviour)

Is **PROVEN**

18. Taking reference to the sanction guidelines and the above record the commissions determined that Lee Welch (56567057) **is suspended for 182 days and fined £100. He is also ordered to attend a Face-to Face FA education course before the time-base suspension is served.** 10 penalty points will apply to his club
19. These decisions may be appealed in accordance with the provisions in The FA Handbook.