

# **DISCIPLINARY COMMISSION**

**On behalf of the Essex County Football Association**

**Correspondence Hearing**

**of**

**FRANCIS AGYEMANG  
(Levels Youth FC)  
Case ID: 9843315M**

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## **THE DECISION AND REASONS OF THE COMMISSION**

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Warning: This document may contain offensive language. Any reference to participants under the age of 18 has been redacted

## Introduction

1. On 13<sup>th</sup> January 2019 Levels Youth FC U11's ("Levels") played Lakeside Youth FC U11's ("Lakeside") in a match in the Echo Junior Football League ("the match").
2. A report was forwarded to Essex County Football Association ("Essex FA") by the Secretary of the Echo Junior Football League, Lisa Di Palma, on 15<sup>th</sup> January 2019. This contained a report from Andrew Casey, who acted as the Match Official in this match. This contained allegations that Francis Agyemang had acted in a threatening manner at the same time as using abusive language.
3. Essex FA commenced an investigation into the allegations and raised charges on 12<sup>th</sup> April 2019.

## The Charges

4. Francis Agyemang was charged under FA Rule E3 – Improper Conduct against a Match Official (Including Threatening and/or Abusive Language/Behaviour),
5. The details of the charge against Francis Agyemang, contained in the charge letter, were: *“At this point, one parent continued to abuse both the linesman and I at which point I explained to him that the game would not continue until he was away from the pitch in the car park. My comment to the parent was met with threats of physical violence who moved forward towards me from behind the respect barrier.”* *“Once the parent lost control (the coach called Frank from Aveley Millers) and started calling my linesman a number of names including a cheat, I tried to explain that everyone needed to calm down or that the parents would be asked to wait for their children in the car park. At this point, the Aveley Millers coach walked towards me in a threatening manner (with his fists clenched) and said twice “are you going to put me there, c’mon then”. At that point I confirmed that the game would not re-start until the parent left the area as I was not prepared to accept or tolerate any threats of physical violence towards either me or my linesman.”*  
  
*The Assistant Referee acting on the day reported: “At this point, the other parents had calmed down somewhat however the Offender continued his aggressive behaviour and shouted very clearly: “...You’re a cheat, the whole of Lakeside are cheats and you have always been cheats”. Whilst he said this, he circled his right arm in a manner pointing out the lakeside players, managers and me”..*
6. The relevant section of FA Rule E3 states:  
*“A Participant shall at all times act in the best interest 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.”*

## Documentation

7. Essex FA included within the charge letter the following evidence they intended to rely on:
  - (i) Statements from Andrew Casey forwarded to Essex FA by Lisa Di Palma of the Echo Youth Football League on 15<sup>th</sup> January 2019;
  - (ii) Details of an exchange of emails between Robert Craven, Governance Team at the Essex FA, and Andrew Casey, Match Official in the match;
  - (iii) Official Witness Report Form completed by Gary Thompson, Assistant Referee during the match for Lakeside YFC dated 7<sup>th</sup> February 2019;
  - (iv) Statements from Terry Bobie Agyekun forwarded to Essex FA by Lisa Di Palma of the Echo Youth Football League on 17<sup>th</sup> January 2019;
  - (v) Official Witness Report Form completed by Gabriel Obeng Coach of Levels, dated 29<sup>th</sup> January 2019;
  - (vi) Details of an exchange of emails between Robert Craven, Governance Team at the Essex FA, and Terry Bobie Agyekun, Secretary of Levels;
  - (vii) A statement from Frank Agyemang, undated;

## The Reply

8. On 25<sup>th</sup> April 2019 Frank Agyemang responded to the charge, pleading Not Guilty and requesting a Personal Hearing, the Club later amended this to a Non-Personal Hearing hence why it was dealt with as a Correspondence Hearing.

## **The Commission**

9. The Discipline Commission members appointed by the Essex County Football Association were:  
Mr Andy Chaplin (Chairman)  
Ms Sheryl MacRae (Essex FA Council Member)  
Mr Mark Healy (Independent)
10. Mr Greg Hart, of the Essex FA Governance Team, acted as Secretary to the Commission.
11. The Commission took place at the Essex County Football Association Headquarters on 1<sup>st</sup> May 2019, commencing at 6:00pm.
12. The Commission had received and read the bundle of documents prior to the hearing.

## **Standard of Proof**

13. The Commission reminded itself that the burden of proving a charge falls upon the County FA.
14. The applicable standard of proof required for this case is the civil standard of proof namely, the balance of probability. This standard means the Commission would be satisfied that an event occurred if it considered that, on the evidence, it was more likely than not to have happened.

## **Findings**

15. From the documentation that we read there was no doubt that there was a confrontation between the Match Official, the Assistant Referee and Mr Agyemang.
16. In his written response Mr Agyemang offered no credible evidence in which to refute the allegations made against him, merely stating that "I deny all the charges levelled against me". He made reference in his statement to the Match Official and opposition Manager having "issues" with him but the Commission were satisfied that this bore no relevance to the case in question.
17. The Commission considered the statements made by Gabriel Obeng and Terry Bobie Agyekun, but these again made no attempt to support Mr Agyemang's denial of the charge or refute the allegations made. As such the Commission placed little weight to these statements.
18. Based on the evidence submitted by both the Match Official and the Assistant Referee the Commission were satisfied that Mr Agyemang had verbally abused the Assistant Referee through his continued use of the word "cheat", which it was noted was also directed towards other members of Lakeside.
19. It was noted that Mr Agyemang failed to leave the playing area having been advised that the game would not continue until he was away from the pitch, but instead chose to walk towards the Match Official in a threatening manner, with fists clenched. It was noted that at this point he continued to use threatening language.
20. We therefore concluded the actions of Mr Agyemang in both threatening and abusing the Match Official and Assistant Referee amounted to improper conduct.

21. Having carefully considered the whole of the documentation before us, the Commission members:
- (i) unanimously concluded that the charge against Francis Agyemang under FA Rule E3– Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour) was Proven;
22. The Commission determined that the level of sanction was High.

### **Sanction**

23. The Commission considered the relevant rules and The FA's Sanction Guidelines for Season 2018/19. In relation to these cases this was a fine between £50 and £100, in addition to a suspension of 112 days or 12 matches, with a minimum sanction of 56 days or 6 matches.
24. The Commission noted that no mitigation had been afforded and no apology made by Mr Agyemang for his actions. It was however noted that there was no previous discipline record for him.
25. The Commission unanimously agreed that Mr Agyemang by fined £75.00 and suspended for 8 matches, which included a ground ban.
26. The decision of the Commission is subject to the right of appeal under the relevant Rules and Regulations of the Football Association.

Signed

Mr. Andy Chaplin (Chairman)  
Ms Sheryl MacRae  
Mr. Mark Healy  
Wednesday 8<sup>th</sup> May 2019