

Disciplinary Commission ("The Commission")
On behalf of Gloucestershire Football Association (Glos. FA)
In the matter of
ABBEYMEAD ROVERS YOUTH FC - Case ID: 11032631M

Hearing Summary including Written Reasons

1. This is a hearing summary and includes written reasons for the decision of the Disciplinary Commission which sat on Friday 9th December 2022. The matter was dealt with by the Chairman sitting alone
2. Glos. FA had raised a charge against Abbeymead Rovers Youth FC as follows:-

Charge: FA Rule E21 – Failed to ensure spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any Match.

The charge was detailed as follows:

"Details: E21 – It is alleged that Abbeymead Rovers Youth 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 gender contrary to FA Rule E21.4. This refers to the comment "isn't it against the rules to field a fella" or similar..." (sic)

The charge had been raised following the alleged misconduct by a spectator/supporter of Abbeymead Rovers (U15s) (Abbeymead) during the match between Abbeymead and Cheltenham Town LFC Titans U15s (Cheltenham) played on Sunday 2nd October 2022 in the Gloucester County Girls' League.

3. On 10th October 2022, and via the Gloucester County Girls' League, Glos. FA received a complaint alleging misconduct by a supporter/spectator associated with Abbeymead. In that complaint, dated 2nd October 2022, Mr Mark Beaver, the Cheltenham manager, said, *"...during the second half of the game a spectator from the sidelines shouted "isn't it against the rules to field a fella". He was questioned about his comment, then informed that the player was in fact a female. He continued to shout nasty comments and was questioned by a parent as to who he was here to watch, he replied no one? He was then asked to leave the area where my parents were spectating. He continued with his abusive comments! One of my parents is a police officer, he tried to approach the gentleman to educate him on how hurtful/harmful his comments can be. The man then said to my parent "if I was 2 years younger, I'd floor you"! As the man would not leave the area another one of my*

parents came round to ask the Abbeymead Coach – who the man was and see if they could move him on? During this time, the abusive man had got his phone out and was taking pictures of the payers. The man helping the Coach...came round to help move the chap away, as it turns out, it was the main Abbeymead Coach's Dad and Ref's Grandad..." (sic)

4. As a result of that misconduct report Glos. FA undertook an investigation during which it sought observations/statements from:-
 - Ms. Rachel James, a Cheltenham player's parent and spectator;
 - Ms Donna Beaver, a Cheltenham player's parent and spectator;
 - Miss Kelly Hanks, a Cheltenham player's parent and spectator;
 - Mr Henry Gillingham, a Cheltenham player's parent and spectator;
 - Mr Nick McGuirk, Abbeymead manager;
 - Mr. Callum McGuirk, match referee;
 - Ms Sallie Lavis, Abbeymead Club Welfare Officer;

5. In her statement, dated 4th October 2022, Ms James said, *"...I am writing with regard to the verbal abuse that my daughter was subjected to by an old man, while she was playing football for Cheltenham...We were not far into the second half when an old man who was stood on the bank behind us (CTLFC parents) started to shout why have they got a fella playing for them. One of our parents turned to ask the man what he was talking about. He went on to ask why we were fielding a fella on our team. The player he was referring to was my daughter (name given). She has short hair, which seemed to him to mean that she was a male. We (CTLFC parents) pointed out that we were playing girl's football. We asked if he had anyone playing in the other team to which he replied no. We suggested that he move along as his view/opinion was offensive. He then proceeded to take his phone out and started to take photos of (name given). Highly inappropriate and unacceptable. One of our parents approached him to say that he could not photograph our player, The one of our parents went over to talk rationally and explain that his behaviour was highly inappropriate and unacceptable. To which he replied to Henry that if he (the old man) had been a few years younger he would have taken fatty (henry). At one point the referee stopped the game and came over to intervene...It transpired after the game that the old man was the father of the coach of Abbeymead and the grandfather of the referee..." (sic)*

6. In her statement, dated 5th October 2022, Ms Beaver said, *"...Cheltenham had just scored...I hear a shout from behind me "isn't it against the rules to field a fella?"...I turned around pretty sharpish to see where this comment had come from, to see an older gentlemen stood up a couple of feet away on the bank. I have said "excuse me" & he continued with "I said it was against the rules to field a fella". I have approached the man as I wanted to be discreet and quiet so that (player's name*

given) didn't hear what had been said. I told him that our player was in fact a female. He continued to shout not very nice things – about her having short hair and looking like a boy. It has the started to draw the attention of even more people. O have asked the man who he was here watching , he replied “No One” – I have then asked him to remove himself from the area or if he was here with someone then to move back down with the Abbeymead spectators. He did no such thing but continued to splurge insults and not very quietly! One of our other parents, Henry – who is a police officer approached the man to ask him to think about his comments and how they would come across hurtful and harmful for the player and parents of the player. He was having none of it and the threatened Henry with “if I was 2 years younger I'd floor you²¹. Henry had either already walked away at tat int or was in the process of it. The man then decided to get his phone out and start taking pictures of the girls, saying something like “we'll get to the bottom of this, the FA can see this”...” (sic)

7. In her statement, dated 7th October 2022, Miss Hanks said, “...an elderly gentleman was stood a few metres behind myself and some other Cheltenham supporters. I didn't notice he was there until he shouted “That's a bloke ain't it?” You can't have a bloke playing with girls” Immediately 3 of us turned around and shouted back it's a girl. He continued with comments of he was gong to report it, how he thought it was wrong and shouldn't be allowed. One parent (Donna Beaver) approached him and asked if he would move along. He refused so she went to the other end of the pitch. The gentleman didn't leave and continue with his rant. Another parent (Henry) approached him asking if he had a family member lying, He said no and again was asked to leave again he refused. As Henry turned away he said “a few years younger fatty and I would have had you”. Next he got his camera phone out – this is when I approached him. I asked what he was doing he said taking a video. I said “do you have permission” he said he “didn't need it”. I said that I did “not give permission” for him to video my daughter. He said “I can I'm an official”. I replied “an official what? And if you are I want to see ID” I walked away as it was like talking to a brick wall. Not long after the ref came over to deal with what we thought was a nuisance old man that turned out to be his grand father and did have grand daughter playing...” (sic)
8. In his statement, dated October 2022, Mr Gillingham said, “...I was...stood on the pitchside enjoying the game. About halfway through the second half I noticed an elderly male stood slightly back behind us and I heard him clear as day shout “THEY'VE GOT A BOY PLAYING ON THEIR SIDE, THAT'S NOT ALLOWED” I turned around immediately and saw Donna Beaver shout back “I BEG YOUR PARDON, SHE'S A GIRL HOW DARE YOU” I too tried to be a bit diplomatic as he was elderly and I thought just a little naïve. I told him to keep his opinions to himself and not be so offensive. All was quiet for a few minutes but the same elderly male again shouted “HE'S A BOY, THAT'S NOT ALLOWED, I SHOULD REPORT YOU” The girl who this was aimed at (player's name given) clearly herd what was being said and by this point she looked quite shaken. Her mother started crying. As no one from the Abbeymead side was stepping in I had little choice but to try and diffuse the situation before it escalated...I walked over to him and said sternly “WHAT YOUR SAYING IS

EXTREMELY OFFENSIVE AND DISTRESSING TO EVERYONE. KEEP YOUR MOUTH SHUT OR BUGGER OFF" I started to walk away and the male said to me "A COUPLE OF YEARS YOUNGER AND I'D KNOCK YOUR BLOCK OFF FATTY"...The next thing I heard was one of the other parents say "HE'S TAKING PHOTOS OF THE GIRLS" clearly this male had decided he couldn't care less what he was doing or saying...I approached the male again and showed him my Warrant Card, identifying myself as a Police Officer. I told him he needed to leave or I'll call my colleagues to deal with him. He couldn't care less and told me to call them so we could get to the bottom of us fielding a male player. I was gobsmacked...the young referee ...came running over and declared the male was his Grandfather and I needed to leave him alone! I told the "Ref" why I was talking to his Grandfather and what our grievance was, he told me he didn't care..." (sic)

9. In his undated statement Mr Nick McGuirk said, *"...I had no idea of any altercation happening during the game until the ref (my son) stopped the game after he heard shouting between spectators (one of which was his grandad, my dad) Callum went over and explained he was watching his granddaughter and that's why he was maybe taking pictures. Unfortunately the away team supporters explained to Callum what he was shouting and what was said which was totally unacceptable, he was told to leave the field by his grandson and escorted from the field by an on-duty policeman (an away parent) the explained to me the whole situation (which was totally unacceptable and not how me, my team or the club want to represent ourselves...I apologised to both coaches, parents that were close and the girls and assured them he will not be attending any more matches..." (sic)*
10. In his undated statement Mr Callum McGuirk said, *"...During the second half there was a disturbance on the side line, at first I noticed it and continued the game, but it gradually became more distracting for the players as voices were getting louder, to the point where the players were only focussed on the argument. With this I stopped the game and went to investigate, as I went over it seemed to be pretty heated so I tried to calm the situation down. It was between an older man and a younger guy, with the younger guy accusing the other of shouting abuse to one of the players on the pitch. The younger guy also accused him of taking pictures but I did not see this. As this was happening the away-team coach came over and had a calm conversation with the younger guy and as a collective we had the older guy escorted to the other side of the sideline, as the older man was watching his granddaughter play, so there was no further confrontation between the two..." (sic)*
11. In her statement, dated 9th October 2022, Ms Lavis said, *"...On behalf of the Club I can only join Nick in extending our profound and sincere apologies that this incident occurred. We have discussed it at our committee meeting on Sunday 2nd of October and we will be sending a message to all coaches to refresh all codes of conduct, players, coaches & spectators, RESPECT code and FA & Club Safeguarding policies.*

The spectator in question has been banned from attending any further matches, training and events held by Abbeymead Rovers...” (sic)

12. At the conclusion of the investigation Glos. FA raised the charge against Abbeymead on 29th November 2022.
13. An on-line response to the charge was received in which Abbeymead entered a plea of “Accept- Correspondence” and thus indicating it was content for the matter to be dealt with in its absence. A further written response to the charge was received from it which included the statements of Ms Lavis, Mr Nick McGuirk and Mr Callum McGuirk. Also included was a copy of the letter which had been sent to the relevant spectator in which he was told of his being banned from attending club fixtures, training and any other club events
14. The foregoing is a summary of the principal 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 such point, or submission, into consideration when the member determined the matter. For the avoidance of doubt, the Commission carefully considered all the evidence and materials furnished with regard to this case.
15. As Abbeymead had accepted the charge the Commission was only concerned with determining the sanction to be imposed. For clarity, after considering all the evidence, the Commission was content to accept Abbeymead’s plea. It also determined that the breach fell within the “high” category for which the recommended sanction was a fine of from £100 to £200.
16. Abbeymead’s disciplinary record was then considered. It showed it had 41 teams and there were two previous recorded club misconduct charges.
17. The Commission then considered any mitigating or aggravating factors in the matter. It found mitigating factors in the club’s early acceptance of the charge, the actions that it had taken after the incident and its previous clear record. It found aggravating factors in the discriminatory language used by the spectator, the fact it had occurred at an U15s match and that, even after being challenged, he had still failed to act in an orderly fashion.
18. After careful consideration of all the evidence the following sanction was imposed on Abbeymead:-
 - it is warned as to its future conduct;

- a fine of £125.

19. There is a right of appeal against the decision in accordance with the relevant provisions set out in the Rules and Regulations of the Football Association.

T. Edwards, Chairman

9th December 2022