



## Football Association Disciplinary Commission

The Football Association on behalf of  
Gloucestershire FA

v

Alex Kibble Case ID: 10262292M

---

### WRITTEN REASONS

---

#### Factual Background and Chronology

1. These are the Reasons for the decision of the Disciplinary Commission which was held via virtual personal hearing at 19.00 on 2<sup>nd</sup> November 2020.
2. The Commission members were Mr Michael Cloherty (Independent Chairman and National Panel) and Mr Alban Brahimi (National Panel) and Mr Keith Davis (National Panel).
3. Mrs Hayley Cain of Lincolnshire FA acted as Secretary to the Commission.
4. The following is a record of the main points which the Discipline Commission considered and is not intended to be and should not be taken as a verbatim record of the hearing.
5. The charge in question arose following a game between Stonehouse Town and Royal Wootton Bassett Town First on 10<sup>th</sup> October 2020. Following the fixture a

report was provided to Gloucestershire FA and details of the allegations were contained within this report.

6. By letter dated 14<sup>th</sup> October 2020 Mr Alex Kibble, a player for Stonehouse Town, was charged with two breaches of Rule E3 – improper conduct against a match official (including physical contact) Improper conduct against a match official (threatening and/or abusive language/behaviour)
7. A response was provided by Mr Kibble and he denied the breaches of rule E3- improper conduct against a match official and asked for the matters to be dealt with by a personal hearing.

### **The Relevant FA Rules**

#### **8 Improper Conduct against a Match Official**

96.2 Physical contact or attempted physical contact: examples include but are not limited to: pushing the Match Official, pulling the Match Official (or their clothing or equipment), barging or kicking the ball at a Match Official (causing no injury) and/or attempting to make physical contact with the Match Official (for example, attempting to strike, kick, butt, barge or kick the ball at the Match Official);

*Physical contact or attempted physical contact:*

101.3 suspension from all football activities for a period of 182 days, with a mandatory minimum of 84 days from all football and football activity and a fine of £100.

101.4 a fine of up to £150.

*Threatening behaviour*

96.1 Threatening behaviour: words or action that cause the Match Official to believe that they are being threatened;

*Threatening behaviour:*

101.1 suspension from all football activity for a period of 112 days / 12 Matches, with a mandatory minimum suspension from all football activity for a period of 56 days / 6 Matches; and

101.2 a fine of up to £100, with a mandatory minimum fine of £50.

## The Evidence

9 The Commission had before them the following items to consider:

- (i) A written report dated 11<sup>th</sup> October 2020 from Mr Owen Brimicombe, referee for the fixture who stated that in 91<sup>st</sup> minute of the game Stonehouse appealed for a penalty which was not given by the official and the Stonehouse Town number 7, Mr Alex Kibble, ran after the referee. Mr Kibble was reported to have ran 15 – 20 yards to confront the official and he ended up making contact and barging me with his arm and shoulder. Mr Brimicombe dismissed Mr Kibble from the field of play for barging the official and the referee noted that he did not leave the field of play immediately and had to be directed by his team mates a full minute after receiving the red card.
- (ii) A typed statement dated 16<sup>th</sup> October 2020 from Mr Alex Kibble who stated that he was the Stonehouse Town captain and in the last minute of the game the referee did not award his team a penalty and a number of players approached the referee to appeal the decision. At this point Mr Kibble describes himself as being 10 yards away from the official and his teammates and when he initially approached the official his intention was to speak to him and usher his teammates away

Mr Kibble describes that he jogged towards the referee with his arms outstretched as if to appeal the decision and as he approached he shouted 'ref, ref how is that not a penalty' and he describes the match official as facing away from him. Mr Kibble stated that he was five yards away from the referee when Mr Brimicombe turned around and ran towards Mr Kibble, towards the half way line and as he did so he made contact with Mr Kibble's outstretched right arm.

Mr Kibble alleges that the referee made contact with him and immediately the official showed the red card without consulting the linesman and he stood away from the referee and the official approached Mr Kibble and told him he was being sent off for barging into the official and he did not need to be escorted from the pitch.

About 15 minutes after the game had concluded Mr Kibble went to speak to the referee in his changing room and they both discussed the incident and agreed there was a difference of opinion.

- (iii) A typed statement dated 18<sup>th</sup> October 2020 from Mr Nigel Sanders, chairman of Stonehouse Town FC who reported that the referee did not award a penalty and several players surrounded the official. The referee then was reported to have moved to the side to walk away from the surrounding players he bumped into Mr Kibble who was moving towards the official and Mr Kibble was sent off.

- (iv) An undated typed statement from Mr Mike Smith, Secretary of Stonehouse Town who was watching the game and near the end his players appealed and were denied a penalty by the referee. The Stonehouse Town players shouted and appealed for the penalty and the team captain Mr Kibble approached the referee from behind with his arms outstretched and as he got to the referee, the official turned around suddenly into Mr Kibble and into his outstretched arm. The referee immediately sent Mr Kibble off.

Mr Smith was of the opinion that the referee turned into Mr Kibble and he was not barged.

- (v) A typed statement dated 18<sup>th</sup> October 2020 from Mr Tim Williams, player for Stonehouse Town who stated that just after the penalty appeal was turned down he was standing behind the referee who was running at pace to where the incident took place. Mr Williams reported that Mr Kibble was ahead of him with his arms outstretched and the referee turned around quickly and as a result he turned directly into Alex who had his arms in the air to appeal for the penalty and Mr Kibble's arm brushed the referee's in an unfortunate collision.
- (vi) A typed statement dated 15<sup>th</sup> October 2020 from Mr William Pedrick, player for Stonehouse Town who stated that Mr Kibble shouted for a penalty with his arms in the air and the referee turned and ran into the outstretched arm of Mr Kibble.
- (vii) A typed statement dated 19<sup>th</sup> October 2020 from Mr Macloud Moyo, a substitute for Stonehouse Town who stated that Mr Kibble was contesting a penalty with his arms raised in the air and the referee turned around as he was walking away and accidentally bumped into Mr Kibble
- (viii) A typed statement dated 19<sup>th</sup> October 2020 from Mr Sam Collier, manager of Royal Wootton Bassett who reported that the referee did not award a penalty and the Stonehouse Town captain had followed the referee who continued to run. Mr Collier believed that the referee turned and made contact with the Stonehouse players outstretched arm in what appeared to be an incident without malice or intent from either the referee or Mr Kibble.
- (ix) A typed statement dated 19<sup>th</sup> October 2020 from Mr Chris Burns, manager of Stonehouse Town who stated that Mr Kibble approached the referee with his arms raised/outstretched and the official turned around suddenly causing Alex's arm to make contact with the referee. Mr Burns did not believe that Mr Kibble meant for this to happen.
- (x) An undated typed statement from Mr Chris Earle, player for Stonehouse Town who stated that he was appealing to the referee when Mr Kibble

approached the referee from 5-10 metres away and the referee turned towards Mr Kibble and collided with his outstretched arm which struck at the top of the referee's arm. Mr Earle believed that the referee would not have seen the player behind him and the contact was unintentional.

- (xi) A typed statement dated 15<sup>th</sup> October 2020 from Mr Dan Gittings, a substituted player for Stonehouse Town who watched the incident from the side-lines. Mr Gittings reported that he saw the players surround the official and Mr Kibble approached the referee from about 10 metres away and as he got closer to the referee a number of players moved away and Mr Kibble was closest to the official. Mr Gittings describes the referee stopping and Mr Kibble stopped and due to his arms being outstretched, his arm and the referee touched in what appeared to be without malice.
- (xii) A typed statement dated 15<sup>th</sup> October 2020 from Mr Mike Williams, spectator at the fixture who stated that after the penalty incident players were around the official and Mr Kibble ran towards the official with his hand reaching out appealing for the penalty and Mr Kibble and the official came together in an accidental way .
- (xiii) A typed statement dated 15<sup>th</sup> October 2020 from Mr Joe Williams, spectator at the game who reported that players surrounded the official and Mr Kibble was running towards the official with his hand reached out and as players moved the referee and Mr Kibble touched slightly.
- (xiv) A typed statement dated 15<sup>th</sup> October 2020 from Mr James Ractliffe, player for Stonehouse Town who stated that he was brought down in the penalty area and the referee did not give a penalty. As Mr Ractliffe stood up he saw the referee turn away and run into Mr Kibble's outstretched arm. Mr Ractliffe believed that there was no intent from Mr Kibble merely an accident.
- (xv) Mr Gael Booto Basana, a player for Stonehouse Town who reported that Mr Kibble was next to the player who they claimed was fouled in the penalty area and he approached the official from out of his line of sight. At the same time that Mr Kibble arrived at the official the referee turned around and immediately started to jog towards Mr Kibble. As Mr Kibble realised the referee was turning Mr Kibble slowed down but it was too late and the official ran into the player resulting a mild touch to the back of the referee's arm.
- (xvi) A typed statement dated 16<sup>th</sup> October 2020 from Mr Adam Ireland, who witnessed the incident and reported that the number 7 from Stonehouse Town called for the penalty with his arms raised in the air and the referee turned around and ran into. Mr Ireland believed the incident to be accidental.

- (xvii) A typed statement dated 15<sup>th</sup> October 2020 from Mr Tom Palmer, player for Stonehouse Town who saw that Mr Kibble was running towards the official and the referee stopped running and turned around and there was minimal contact with the outstretched arm of Mr Kibble.
- (xviii) A typed statement dated 15<sup>th</sup> October 2020 from Mr Ryan Thwaite, a spectator at the fixture, who reported that players appealed for a penalty with Mr Kibble having his arms outstretched. Mr Thwaite reported that the official was running backwards and he connected with Mr Kibble's outstretched arm.
- (xix) A typed statement dated 15<sup>th</sup> October 2020 from Mr Robert Humphreys, a player for Stonehouse Town who stated that players appealed for a penalty and approached the referee. Mr Humphreys saw Mr Kibble run towards the referee with his arms outstretched in front of him and the referee was running backwards and he appeared to stop abruptly and Mr Kibble's momentum carried him towards the referee and there was contact between the two with Mr Kibble's outstretched arm touching the official's arm. Mr Humphreys is of the opinion that Mr Kibble did not intend to cause harm or be violent towards the referee.
- (xx) A typed statement dated 15<sup>th</sup> October 2020 from Mr Liam Meredith, a spectator at the game who reported that Mr Kibble approached the referee with his arms outstretched and as the referee turned to face Mr Kibble he collided with his outstretched arm in what appeared to Mr Meredith to be an accident.
- (xxi) Mr Owen Brimicombe, referee, attended the hearing and gave evidence that he had made the decision not to award the penalty to Stonehouse Town and this caused many of the players to vociferously appeal the decision one of who was Mr Kibble. The official said that he heard Mr Kibble before he had a clear view and the first time he clearly saw him he was less than five yards away. Mr Kibble did not using any foul, abusive or threatening language towards the official and he had made the initial decision to issue a yellow card for dissent. Mr Brimicombe said that both he and Mr Kibble came together with the top of his arm being hit by the upper arm of Mr Kibble. The referee made the decision to send Mr Kibble from the field of play. When questioned about the intent of Mr Kibble the referee believed that he had not intended to collide with the official and the contact was accidental. Mr Brimicombe said that even when he was shocked with the collision he did not feel threatened by the collision.

When the referee was questioned further he stated that he thought the collision was reckless but not malicious nor intentional and he sent the player off out of shock.

## Decision

- 10 As part of its work the Commission reminded itself of the standard of proof which was required in order to find the charge proven, which was on a balance of probability.
- 11 The decision of the Commission was to find the charges, against Mr Alex Kibble, not proven. This was a unanimous decision.
- 12 The factors taken into consideration in reaching this conclusion were the following;
  - i. The referee Mr Brimicombe did collide with Mr Kibble as the player ran towards him and both arms connected.
  - ii. The referee did not believe that the contact was intentional and it was without malice. The official believed that the collision was as a result of a careless and vociferous appeal for a penalty.
  - iii. At no stage did the official feel threatened by the actions of Mr Kibble and he did not use any language that was insulting nor threatening.
  - iv. As a result the Panel were of the opinion that neither charge 1 of improper Conduct against a match official – physical contact nor charge 2 misconduct- threatening and/or abusive behaviour, were made out.
  - v. Both cases were not proven.
- 13 There is the right to appeal in accordance with the FA Regulations.

2<sup>nd</sup> November 2020

Mr Michael Cloherty  
Mr Alban Brahimi  
Mr Keith Davis