

# **Football Association Disciplinary Commission**

## **The Football Association on behalf of Gloucestershire FA**

**V**

**Cole Hallam – Case ID: 10838638M**

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### **WRITTEN REASONS**

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1. This is a hearing summary and includes written reasons for the decision of the disciplinary commission (the commission) which sat alone on Wednesday 8<sup>th</sup> June 2022.
2. The commission was a non-personal hearing chaired by Bill Stoneham (National Serious Case Panel).
3. The following is a written record of the main points considered by the commission. It is a summary of the main evidence presented and is not intended to refer to all the points made in the evidence presented. The absence in these reasons of any particular point, or piece of evidence, should not imply that the commission did not consider any such point or evidence. For the avoidance of doubt, the commission carefully considered all the evidence that was submitted.
4. The charges in question arose following a game between Whaddon United First FC (the club) v Cheltenham Civil Service Saturday Reserves FC (the opposition) in the Cheltenham Saturday League played on Friday 6<sup>th</sup> May 2022.
5. Gloucestershire FA issued a charge letter dated 11<sup>th</sup> May 2022. In this letter, it is alleged that Cole Hallam (the player) used threatening and/or abusive and/or indecent and/or insulting language/behaviour contrary to FA Rule E3.1 and it is further alleged that this constitutes Threatening Behaviour Against a Match Official as defined in FA Regulations. This refers to the allegation that Cole Hallam used words: '.....smack your head in...' or similar towards the referee during the match.
6. Gloucestershire FA provided the following evidence in relation to the charge:

- I. A disciplinary report form dated 7<sup>th</sup> May 2022 submitted by Steven Glyde (the referee). No other evidence was submitted.
7. Gloucestershire FA charged the player by email on 11<sup>th</sup> May 2022. A response of 'accept - correspondence' was received by Gloucestershire FA on 30<sup>th</sup> May 2022.
8. The commission reminded itself that the burden of proving a charge falls upon Gloucestershire FA.
9. The applicable standard of proof required for this case is the civil standard of proof, namely the balance of probability. This standard means that the commission would be satisfied that an event occurred if it considered that, on the evidence presented it was more likely than not to have happened.
10. The assessment of the evidence in such cases is entirely a matter for the commission. The commission must assess both the credibility and the reliability of the evidence placed before.
11. The commission carefully studied the submitted evidence. The following points were noted:
  - I. The referee's report, though short, is concise and clearly explains the sequence of events. The commission noted that the referee made it abundantly clear that the threats made by the player were verbal; the player's demeanour did not offer any physical threat.
12. As the player had accepted the charge raised against him, the commission was solely concerned with determining the sanctions to be imposed. For clarity, it should be noted that having examined all the evidence, the commission was content to accept the plea offered by the player.
13. Having found the case proven, the commission requested, and was duly provided with, the player's offence history for the previous five years. The records showed a total of twelve cautions but no similar offences.
14. Though neither the player nor his club offered any mitigation, the commission took the following into consideration:
  - I. The acceptance of the charge;
  - II. the referee made it clear that he did not feel physically threatened.
15. The aggravating factors identified included:
  - I. The statement from the referee is clear that the player issued verbal threats;
  - II. evidence from the referee that the player had to be restrained by his teammates;
  - III. the lack of remorse shown by the player;

- IV. the lack of remorse shown by the club, including the absence of any evidence to show that the club has applied measures to ensure no repeat occurrences.
16. For a proven charge of this nature, FA Regulations state that a suspension from all football activity for a period of between 56 days and 182 days shall be imposed. The Regulations further state: 'The recommended entry point prior to considering any mitigating and aggravating factors is 112 days. A fine of up to £100 with a mandatory minimum of £50.' Having considered all the facts in this case, the decision of the commission is that **Cole Hallam** is:
- I. **Suspended from all football activity for a period of 179 days. This sanction is in addition to any sanctions arising from this fixture that may have already been imposed by the player's club or by Gloucestershire FA;**
  - II. **this suspension takes into consideration that football outside NLS leagues will not normally be played in June and July. The 179 days, therefore, includes a sanction of 53 days to cover this period of inactivity (based on the hearing date of 8<sup>th</sup> June 2022);**
  - III. **The suspension was calculated as follows: entry point 112 days minus 14 days for mitigation based on Cole Hallam's acceptance of the charge. However, an additional 28 days were added because of the lack of remorse shown and because Cole Hallam had to be restrained. The suspension is further adjusted by 53 days to cover the months of June and July as outlined above;**
  - IV. **fined a sum of £80-00;**
  - V. **warned as to his future conduct;**
  - VI. **ordered to complete an on-line education programme before the time-based suspension is served. Failure to comply with this order will result in a sine-die suspension being issued against Cole Hallam until he has fulfilled this order in its entirety;**
  - VII. **ten disciplinary penalty points shall be recorded against the club.**
17. There is a right of appeal against this decision in accordance with the relevant provisions set out in the Rules and Regulation of the Football Association.

Bill Stoneham

Chairperson

8<sup>th</sup> June 2022.