

# **DISCIPLINARY COMMISSION**

*Sitting on behalf of the Gloucestershire Football Association*

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**IN THE MATTER OF A PERSONAL HEARING**

**OF**

**COURTNIE BEAN - LEBEQ (SATURDAY)**

**DATE OF COMMISSION: 28<sup>th</sup> NOVEMBER, 2018**

**CASE NUMBER: 9595733**

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## **DECISION & WRITTEN REASONS OF THE DISCIPLINARY COMMISSION**

### **BACKGROUND & HEARING**

*Unfortunately Mr Barrie Phillips had to stand down as Chairperson due to personal reasons (not published) and Mr Nigel Newport-Black was elected as Chairperson. Mrs Susan Henson-Green took on the role of council member, Mr David Neale acted as secretary and Mr Ian Scott was the independent member.*

The commission was advised at approximately 7.20pm that owing to his commitments as a carer, Mr Bean was unable to attend the hearing. It was decided to hear the case as a non-attending after Mr Edgell's hearing.

Courtne Bean was reported in the match against Cribbs Reserves on 13 October 2018 for using improper conduct against the referee by allegedly striking the referee after his dismissal from the field of play.

### **THE COMMISSION**

The members appointed to the Commission were:

Chairperson:	Mr Nigel Newport-Black
Secretary:	Mr David Neale
Council Member:	Mrs Susan Henson-Green
Independent Member:	Mr Ian Scott

### **THE CHARGE(S)**

The Gloucestershire FA charged Courtne Bean as follows:

<b>Charge 1:</b>	FA Rule E3 - Improper Conduct against a Match Official (including physical contact and threatening and/or abusive language/behaviour)
<b>Alternate Charge 1:</b>	FA Rule E3 - Improper Conduct against a Match Official (including threatening and/or abusive behaviour)

### **THE REPLY**

Mr Bean entered a plea of not guilty to both charges.

## **THE RULES**

Pursuant to The FA Handbook 2018-2019 Season, FA Rule E3 (1) provides as follows:

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

## **THE BURDEN AND STANDARD OF PROOF**

For these charges to be made out in full in this instance there were two tests which needed to be satisfied:

- a) Was Mr Bean guilty of improper conduct (including physical contact and threatening and/or abusive language/behaviour) towards the referee by knocking the card out of his hand?
- b) Was Mr Bean guilty of improper conduct (including threatening and/or abusive behaviour)?

The Commission judged this case and the standard used was on the balance of probabilities.

## **THE EVIDENCE**

Information was provided by Lebeq Saturday confirming identity and names of players listed in report.

Witness statement provided by Dwayne Smith

Witness statement provided by Warren Edgell of Lebeq Saturday

Witness statement provided by Courtnie Bean of Lebeq Saturday

A match report was submitted by referee John Duffy, report submitted by referee Andrew Plummer and a match observer's report from Stephen Poole.

Written statements were provided by members of Lebeq Saturday team and also from members of Cribbs Reserves.

## **FINDINGS**

The commission was unanimous in its findings.

On his own admission in his written statement, Mr Bean was found guilty of the main charge. There was physical contact made with the referee John Duffy as he was shown the red card. His previous disciplinary record was taken into account when deliberating the sanction.

## **APPEAL**

This decision is subject to appeal in accordance with the relevant FA Appeal Regulations.

Chairperson: .....

Council Member: .....

Independent Member / LFADP: .....

Date of written reasons: 29/11/2018