

DISCIPLINARY COMMISSION

Sitting on behalf of the Gloucestershire Football Association

IN THE MATTER OF A PERSONAL HEARING

OF

WARREN EDGELL - LEBEQ (SATURDAY)

DATE OF COMMISSION: 28th NOVEMBER, 2018

CASE NUMBER: 9595730

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 work commitments, Mr Edgell was unable to attend the hearing. It was decided to hear the case as a non-attending after Mr Smith's hearing.

Warren Edgell was reported in the match against Cribbs Reserves on 13 October 2018 for using improper conduct against the referee by allegedly kicking a football at 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 Warren Edgell as follows:

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

THE REPLY

Mr Edgell 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 Edgell guilty of improper conduct (including physical contact and threatening and/or abusive language/behaviour) by kicking a ball at the referee?
- b) Was Mr Edgell 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

Charge 1 was found NOT PROVED but the alternative Charge 1 was found PROVED based on evidence provided in his own statement. 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