

County Disciplinary Commission
on behalf of Hertfordshire Football Association
Personal Hearing – Wednesday 12 December 2018
Mason ELLIS
Case ID 9624318M

1. On 3 November 2018 Sandridge Rovers First FC played Ware Sports FC in the Herts Senior County League, Premier ('the fixture').
2. On 3 November 2018 James Bromfield, the Assistant Referee at the above match, submitted a statement to Hertfordshire Football Association, alleging Improper Conduct by a player from Ware Sports FC, Mason Ellis.
3. Hertfordshire FA commenced an investigation.
4. On 15 November 2018 Hertfordshire FA brought the following charge against Mason Ellis:
 - (i) Improper Conduct against a Match Official, including physical contact and threatening and/or abusive language/behaviour, Contrary to FA Rule E3.
5. The charge against Mason Ellis alleged that he had breached FA Rule E3 in that during the fixture he had used physical contact against the Match Official, Contrary to Rule E3(1).
6. Mason Ellis denied the charges and requested a personal hearing.
7. The following members sat on the Disciplinary Commission personal hearing, which took place on Wednesday 12 December 2018 at 7pm, at Hertfordshire FA County Ground, Letchworth SG6 2EN:

Mrs Loraine Ladlow – Chair and Independent LFADP member

Ms Jackie Davis – Independent member

Mr Sam Bernstein – Independent Member

8. Lauren Halsey, Football Services Manager for Hertfordshire FA, acted as Secretary to the Commission.
9. Prior to the hearing, the commission had received and read the following information:
 - (i) A copy of the Misconduct Charge Notification;
 - (ii) Extraordinary Incident Report Form from James Bromfield the Assistant Referee dated 3 November 2018;
 - (iii) County Association Report Form from Alan Walker dated 4 November 2018;
 - (iv) A statement from Mason Ellis dated 14 November 2018;
 - (v) A statement from Leon Hughton, joint first team manager of Ware Sports FC, dated 16 November 2018.
10. At the personal hearing on 12 December 2018 the Commission heard evidence from the following witnesses:
 - (i) Alan Walker
 - (ii) James Bromfield
 - (iii) Mason Ellis
 - (iv) Paul Gurney, Joint first team manager of Ware Sports FC

Findings and Decision

11. The Commission considered all the evidence before them and in particular took note of the following:
 - (i) The allegation against Mason Ellis was that he had used physical contact against the Assistant Referee, James Bromfield;
 - (ii) The Referee Alan Walker confirmed he did not see the alleged incident. When he saw the Assistant Referee's flag go up, he went over to speak with him;
 - (iii) The Referee was unsure of the exact words used by the Assistant Referee and was unclear in his evidence as to what he had been told had happened;
 - (iv) The Referee's explanation of where parties were at the time of the incident, as illustrated on a pitch diagram was inconsistent with evidence given by other witnesses;
 - (v) The Assistant Referee James Bromfield gave evidence that Mason Ellis had grabbed him from behind;
 - (vi) He stated that he was by the dug-out area, when Mason Ellis "ran" towards him "at pace" from the sin bin. On questioning his evidence, James Bromfield

admitted that he did not see Mason Ellis come towards him as he had his back to him.

- (vii) The Commission noted that the short distance between the dug-out area and where James Bromfield was standing, made it highly unlikely that Mason Ellis was able to “run” towards the Assistant Referee, as alleged;
- (viii) James Bromfield stated that Mason Ellis had grabbed him/his kit from behind and “pulled him around”;
- (ix) Mason Ellis accepted he had left the sin bin in the dug-out area and approached the Assistant Referee;
- (x) He stated that he gestured with his arm towards an incident that had taken place on the pitch involving one of his team’s players in order to draw the Assistant Referee’s attention to it. He denied grabbing the Assistant Referee or having any physical contact with him;
- (xi) Mason Ellis accepted that by putting his arm out towards the Assistant Referee there was a risk he could have come into physical contact with him, but he denied that this occurred. He was certain that at no time did he come into physical contact with James Bromfield;
- (xii) Mason Ellis stated that the Assistant Referee had told him to “get out of my way” following which he returned to the sin bin.
- (xiii) Mason Ellis also stated that the Assistant Referee did not put his flag up immediately but waited until the ball went out of play before doing so. This was also confirmed by Paul Gurney in his evidence.
- (xiv) Paul Gurney and Mason Ellis saw the Assistant Referee speak to the Referee, but neither were able to hear what was said. Mason Ellis was shown a red card by the Referee, but he was not told the reason for the card. This was confirmed by Paul Gurney.
- (xv) Paul Gurney gave evidence that he was in the dug-out throughout the game and when Mason Ellis was sent to the sin bin. Following an incident on the pitch those present in the dug-out and spectators in the area, were shouting/protesting at the Referee.
- (xvi) Paul Gurney stated that noise made the Assistant Referee turn around to face the dug-out area.
- (xvii) Paul Gurney stated that Mason Ellis “jumped up” from the dug-out, took 3-4 paces to where the Assistant Referee was standing and said, “you must have seen that”. He confirmed that Mason Ellis was gesturing towards the incident on the pitch.

- (xviii) Paul Gurney confirmed he was 4-5 feet away and that he was certain Mason Ellis had not grabbed the Assistant Referee or come into physical contact with him.

12. The Commission considered all the evidence and found following:

- (i) The Commission noted that this was a serious allegation of physical contact on a match official and carefully considered all the evidence before it.
- (ii) The Referee's evidence was limited to what he had been told by the Assistant Referee and his recollection of that was unclear.
- (iii) There were inconsistencies in James Bromfield's evidence and it lacked detail. He stated Mason Ellis had "ran" at pace towards him then later when questioned he conceded he did not see this.
- (iv) When probed further regarding the incident, James Bromfield's evidence lacked detail particularly regarding how he was grabbed and pulled around.
- (v) Both Mason Ellis and Paul Gurney gave consistent evidence. The Commission found their evidence was clear and credible. They both gave detailed corroborative evidence which stood up to close scrutiny.
- (vi) Pau Gurney and Mason Ellis clearly stated that Mason Ellis gestured with his arm to the incident on the pitch to the Assistant Referee but both denied that Mason Ellis grabbed him.
- (vii) The Commission noted the evidence given by Mason Ellis and Paul Gurney namely that the Assistant Referee had not put his flag up immediately after the alleged incident had taken place.
- (viii) The Commission considered the way James Bromfield alleged he had been grabbed and pulled around by Mason Ellis and the physical logistics of such a movement.

13. The Commission considered all the evidence before it and, based on the standard of proof required, namely the balance of probabilities, found the charge against Mason Ellis not proved. This was a unanimous decision

Loraine Ladlow, Jackie Davis, Sam Bernstein

12 December 2018