

The Football Association Disciplinary Commission

(‘The Commission’)

Sitting on behalf of Oxfordshire FA and Berks and Bucks FA

In the matters of:

**Jerome McCalmon, Harwell and Hendred Youth and
Nicholas Hammond.**

Case Numbers:11395083M, 11392235M and 11360771M

Disciplinary Commission Decision:

(This report contains names of youth participants)

1. The members of the Commission were Mr Les Pharo (Chair), Professor John Goodwin and Mr Dave Padwick. The secretary to the Commission was Mr Jack Mason, all appointed by the FA.
2. The Charges:

**Mr Jerome McCalmon of Oxford Blackbirds U13 was the subject of one charge:
A breach of FA Rule E3: Improper Conduct against a match official - (including threatening and/or abusive behaviour).**

**Mr Nicholas Hammond of Harwell and Hendred Blacks U13 was the subject of one charge:
A breach of FA Rule E3: Improper Conduct (including threatening and/or abusive language/behaviour).**

**Harwell and Hendred Blacks U13 were the subject of one charge:
A breach of FA Rule E21 – Failed to ensure that its spectators and/or its supporters (and anyone purporting to be its supporters) conducted themselves in an orderly fashion, and refrained from improper, offensive, violent, threatening, abusive, indecent, insulting, or provocative words and / or behaviour.**

3. The Rules.

Rule E3:

“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”.

Rule E21states:

“Its directors, players, officials, employees, servants, representatives, spectators, and all persons purporting to be its supporters or followers, conduct themselves in an orderly fashion, and refrain from any one, or combination of the following: improper, violent, threatening, abusive, indecent, insulting or provocative words or behaviour, (including, without limitation, where any such conduct, words or behaviour includes a reference, whether expressed or implied, to any one, or more, of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability) whilst attending at, or taking part in a match in which it is involved, whether on its own ground or elsewhere”.

4. The charges were brought by Oxfordshire FA and Berks and Bucks FA, as a result of a complaint from Kelly Bowles of Oxford Blackbirds, to the County Association. This was in relation to a friendly match played on 17th September 2023, between U13 and Oxford Blackbirds U13, where it was alleged that a parent from Harwell and Hendred “punched out” at the coach from Oxford Blackbirds.
5. When the matter was investigated by the County Association, the evidence was gathered, resulting in the charges as shown, being raised.

6. The responses:

Harwell and Hendred Blacks and Nicholas Hammond had admitted the charges against them, and requested the matter be dealt with by correspondence. Jerome McCalmon denied the charge against him, and had asked for a personal hearing, which was held on Thursday 19th October 2023. As the matters occurred at the same match, they were dealt with as consolidated, as per FA regulations.

7. The following is a summary of the principal submissions considered by the Commission. It does not purport to contain reference to all points considered. However, the absence in these reasons of any point, or submission, should not imply that the Commission did not take such point, or submission, into consideration, when reviewing the matters. For the avoidance of doubt, the Commission carefully considered all the evidence and materials furnished regarding these cases.
8. There were statements to consider in all these matters, from Kevin Hammond, Ryan Sheppard (referee), both of Harwell and Hammond. On behalf of Oxford Blackbirds there were statements from, Kelly Bowles, the secretary, Jerome McCalmon, a coach. Chrishayon Wright, a player, Claire Hutt, Danielle Clerkin, Devon Beckett, a player, Eduardo Farias Da Silva, a player, Elias Williams, a player, Jacob McCalmon, a player, Joanne Wimble, a parent, and Sami Awad, a player.

9. On the 18th October, the Chair was advised that the appropriate adults for the youth witnesses, on behalf of Mr McCalmon, were also intending to give evidence themselves as witnesses, the secretary was advised that this would not be allowed, and should the youth witnesses still be called, then arrangements should be made for other appropriate adults to sit with them.
10. Those appearing at the personal hearing on behalf of the County were Ryan Shepherd, who was accompanied by his father, Mr David Shepherd. Mr Nicholas Hammond was also due to attend the hearing, but on the 18th October, he advised the county association that he would not be attending.
11. Appearing in response to the charge were, Jerome McCalmon, Lucy Pleece, Clair Hutt, Jo Wimble, Dannielle Clerkin, and Cherylene Gabbidon.
12. At this stage, prior to the hearing commencing, there was a request to allow a 12-year-old witness to give verbal evidence. This was not made known to the Commission prior to the hearing. This witness was apparently in the same building as an adult witness giving evidence in this matter, although, we were informed they had an alternative appropriate adult with them. The Commission considered the request, and due to the fact that the Commission which was scheduled to start at 6-30 pm, due to technical problems associated with Mr McCalmon's computer link it had not done so. The Commission at this stage had no idea when, or if, Mr McCalmon would be joining the meeting, and the time was approaching 7 pm. They therefore decided that it was not in the best interests of a 12-year-old to be waiting late into the evening to give his account.
13. This hearing was ready to commence at 7-05 pm, and at this point the secretary advised the Commission that the referee and his father had left the meeting. This caused a further short delay in starting the meeting. The secretary made contact with the father, by phone, and was advised that they had made arrangements to go out. This was not made known to the secretary at the time of them joining the meeting.
14. The denied matter against Mr Jerome McCalmon then commenced, and the procedure was explained to him, and he agreed that he had seen the case papers associated with this matter. He was also advised of the non-attendance of county witnesses, and informed that the witness statements of those witnesses have been read by the Commission, but as the content could not be tested, the Commission would weigh that evidence accordingly, and take that into account in their deliberations.
15. Mr McCalmon then gave an account of the match in general, which was as his submitted statement, and was asked to give a summary of the statement he had submitted, which he did as per his statement. When questioned by the Commission, he said in response to those questions that he was not angry when he came on to treat an injured player, but did advise their referee he was not happy with the way he spoke to one of his players. He said there were comments from supporters, and comments between players, but he had not made any comment.
16. He said that he had spoken to their manager, and they had no issues between them, and they had spoken calmly without raised voices. He stated that someone had thrown a punch at him and missed, and that person fell to the floor, and he did not retaliate or use

any swear words. He stated his family were present which included his children, and he would not behave in the way that he has been accused of. He said he had spoken to his chair, regarding the punch thrown at him, and assumed the chair would deal with it. He said he had spoken to the referee at the rugby club house, but only about the way he spoke to players, he said wife and children and others were around at that time, and there was no animosity between him and the referee, who had others with him, and the words “rip your heads off” were never used. There was no argument whatsoever, and said that he and the referee were about 10 yards apart, and nothing he said could have been misinterpreted to the words allegedly used. He said the teams had played together before with no issues.

17. Mr McCalmon was then asked if the witnesses present on his behalf could offer any evidence concerning the alleged comment “rip your heads off” after the game. He said they could not. He was informed he had the right to call those witnesses, and he said he felt they could not really help, and decided against calling them. He then said, I did not make those comments. I did not threaten the referee in any way, and the alleged language used, I have never used in my life.
18. The written evidence offered in support of the charge was then considered by the Commission. It was noted that it was agreed that the referee had been challenged by Mr McCalmon, after he, (the referee), told a player to “shut up”. The referee reports that players and spectators were shouting at him and using abusive language. He had not stated that this behaviour had come from Mr McCalmon. He said after the game he had a conversation with Mr McCalmon, during which, the words “I’ll rip your and your mates heads off”, were used by Mr McCalmon, adding that someone intervened. However, we did not have an account from that witness. It was further said by the referee that some friends were with him, and likewise, we had no evidence from them to consider. This would have been valuable evidence if it were able to be gathered. The statement from Mr Hammond also confirms that the referee was challenged by Mr McCalmon when he (the referee) shouted at a player. He talks of other incidents in the game, but does not give any evidence of any other issues concerning threats to the referee during, or after the game.
19. In reviewing written and verbal in response to the charge, the Commission noted the following points, the account given by Mr McCalmon was as his report. He denied threatening the referee at any time during the match. He agreed he challenged the referee due to the way he spoke to players, and also agreed that he had spoken to the referee after the match. He stated he did not threaten him at any time, and the allegation of “ripping his or anyone’s heads off” was ludicrous, and simply was not said, stating others were around at that time. There was clear evidence that at some stage someone attempted to punch Mr McCalmon. It was also evident that there was no retaliation from him, as shown in various statements, yet it was alleged sometime later he made threatening words to the referee. This did not seem credible to the Commission. The account given by Mr McCalmon was considered to be the more credible.

20. Having considering all the verbal and written evidence presented, the following unanimous decision was made on the balance of probability:

For an alleged breach of Rule E3:

Improper Conduct against a match official - (including threatening and/or abusive behaviour).

Not Proven.

21. The admitted matters were then dealt with, and having taken into account the previous records of Mr Hammond and Harwell and Hendred Blacks, the admission of the charges, the lack of any apology offered by the club or Mr Hammond, the FA sanction guidelines, the age group of the players, and then having placed both matters in the high range of those guidelines, the following unanimous decisions were reached:

Mr Nicholas Hammond of Harwell and Hendred Blacks U13:

For an admitted Breach of FA Rule E3: Improper Conduct (including threatening and/or abusive language/behaviour).

Mr Hammond is suspended from all football activity for two matches and he is fined the sum of £30-00. Th suspension period includes a ground ban.

Harwell and Hendred Blacks U13:

For an admitted breach of FA Rule E21 – Failed to ensure that its spectators and/or its supporters (and anyone purporting to be its supporters) conducted themselves in an orderly fashion, and refrained from improper, offensive, violent, threatening, abusive, indecent, insulting, or provocative words and / or behaviour.

Harwell and Hendred Blacks are fined the sum of £140-00

22. There is a right of appeal against any of these decisions, in accordance with the relevant provisions set out in the prevailing FA Rules and Regulations of the association.

Mr Les Pharo (Chair).
Professor John Goodwin.
Mr Dave Padwick.

19th October 2023