

**IN THE MATTER OF
SURREY FOOTBALL ASSOCIATION**

-v-

**DAQUON LUMSDEN LESLIE
(CASE REFERENCE 11165241M)**

**REASONS FOR DISCIPLINARY COMMISSION DECISIONS
WEDNESDAY 22nd MARCH 2023**

INTRODUCTION

1. These are written reasons for the findings of a Disciplinary Commission ('the Commission'), held on behalf of Surrey FA (SFA) on Wednesday 22nd March 2023. The Commission considered a charge against Daquon Lumsden Leslie (DLL), a registered player with Carshalton Athletic (Carshalton). The offence is alleged to have taken place during a match ("the match/game") in the U18s Isthmian League between Carshalton and Leatherhead on Monday 20th February 2023.

PARTIES

2. The appointed stand-alone Commission Member, a member of the FA's National Serious Case Panel, was Anthony Rock.

MISCONDUCT CHARGE NOTIFICATION

3. By SFA Misconduct Charge Notification dated 10th March 2023, the following charge was raised:
 - Charge - FA Rule E3 - Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour).

FA RULE E3

4. The relevant sections of FA Rule E3 (The FA Handbook Season 2022-2023, Chapter 10, Part E, Paragraph E3.1) states:

E3.1: 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.

CHARGE

5. The charge against DLL was raised when he allegedly 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. Specifically, this refers to the allegation that DLL, after being sent off, said to the Referee, ‘*watch, wait until after the game*’ or similar.

PLEA

6. On 15th March 2023, DLL pleaded guilty to the charge and requested his case be considered by correspondence.

WRITTEN EVIDENCE

7. The written evidence available to the Commission consisted of:
 - a. Witness statement, date not known, submitted by the Referee, Tom Murray.
 - b. E-mail exchanges dated 7th March 2023, between the Referee and SFA (David Miller).
Included additional information about DLL’s misconduct during the game.
 - c. SFA Witness Statement dated 9th March 2023, submitted by Zubair Amin (Carshalton Club Official).
 - d. SFA Witness Statement dated 10th March 2023, submitted by the accused, DLL.
 - e. SFA Misconduct Charge Notification (DLL) dated 10th March 2023.

COMMISSION FINDINGS

8. The burden of proof is on the County FA meaning it is for SFA to prove the case to the appropriate standard. The applicable standard of proof in these cases is the civil standard of the balance of probability. The balance of probability standard means that the Commission has to be satisfied that the occurrence of an alleged event or events was more likely than not to have taken place.
9. Given that DLL pleaded guilty to the charge, the issue for the Commission was not to deliberate on points of fact, but to determine the sanction to be imposed. The Commission considered the written evidence submitted and accepted his guilty plea.

Comment: although from the Referee’s evidence it appears that DLL caused the match to be abandoned, there is no mention of this in the Misconduct Charge Notification.

FA GUIDELINES/CATEGORISATION OF THE OFFENCE

10. In regard to the proven charge against DLL, the Commission noted the following:
 - a. FA Sanction Guidelines - for a proven charge of Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour): suspension from all football activities for a period of between 56 and 182 days. The recommended entry point, prior to

considering any mitigating or aggravating factors, is 112 days. A fine of up to £100, with a mandatory minimum fine of £50. An order that the Participant completes an education programme before the time-based suspension is served.

- b. Before considering any mitigating/aggravating factors, the Commission determined that the offence by DLL lay within the Medium Category of the FA Sanction Guidelines.

DISCIPLINARY RECORD

11. Prior to this match, DLL has been sent off once (September 2022 for two yellow cards). He has no previous proven charges of misconduct.

SANCTION

12. Taking into account the FA Guidelines and Regulations, nature of the offence, misconduct record, submissions and observations, mitigating and aggravating factors, age of the player and plea submitted, the Commission concluded that the following sanction is to be imposed:

DLL: to be suspended from all football activity for a period of 75 days and fined £60. Due to DLL's age (17 years old), responsibility for paying the fine rests with his Club. DLL is also required to complete an on-line FA education programme, the details of which are to be notified by SFA, failing which he shall be suspended from all footballing activity until completion of said programme. His Club, Carshalton Athletic, is to incur 7 disciplinary penalty points.

Note: The entry point for disciplinary penalty points is 5. Penalty points are not a deduction of points from any league standings, but are added to the cumulative total within the Club's disciplinary record/total.

13. In accordance with FA Regulations there is a right of appeal against the decisions.

Anthony Rock
(Stand Alone Chair)

Wednesday 22nd March 2023