

FA NATIONAL SERIOUS CASE PANEL

DISCIPLINARY COMMISSION

CHAIRMAN SITTING ALONE

on behalf of Surrey Football Association

CORRESPONDENCE HEARING

of

AHMED ALSANIWI

SOUTH WEST CASUALS

[Case ID:11178440M]

THE DECISION AND REASONS OF THE COMMISSION

Introduction

1. On 12th February 2023, South West Casuals ("the Club") played a fixture against Dion Paizo 1st ("Dion Paizo") – collectively the "Match".
2. The Match Referee, Mr Tristan Hall, reported the conduct of Mr Ahmed Alsaniwi ("AA") a Player for the Club.
3. Surrey Football Association ("Surrey FA") investigated the reported incident.

The Charge

4. On 20th March 2023, Surrey FA charged AA:
 - 4.1. with misconduct for a breach of FA Rule E3 - Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour) It is alleged that Ahmed Alsaniwi used threatening and/or abusive 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. This refers to the allegation that after being shown the red card Ahmed Alsaniwi is alleged to have said "fuck it I am coming for you" "I've already got a red now, so fuck it" or similar.
5. The relevant section of FA Rule E3 states:

"E3.1 A Participant shall at all times act in the best interest 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."
6. Threatening Behaviour against Match Officials is defined, under *Offences Against Match Officials*, as:

"96.1 Threatening behaviour; words or actions that cause the Match Official to believe that they are being threatened. Examples include but are not limited to: the use of words that imply (directly or indirectly) that the Match Official may be subjected to any form of physical abuse either immediately or later, whether realistic or not; the raising of hands to intimidate the Match Official; pretending to throw or kick and object at the Match Official"
7. Surrey FA included with the charge letter the evidence that it intended to rely on in this case.
8. AA was required to respond to the charge by 3rd April 2023.

The Reply

9. On 3rd April 2023, AA responded to the charge via the Whole Game System, admitting the same and he requested the case to be dealt with in his absence at a Correspondence Hearing.

The Commission

10. The Football Association ("The FA") appointed me, Karen Hall, as a Chairman member of National Serious Case Panel, to this Discipline Commission as the Chairman Sitting Alone to adjudicate in this case.

The Hearing & Evidence

11. I adjudicated this case on 5th April 2023 as a Correspondence Hearing (the "Hearing").
12. I had received and read the bundle of documents prior to the Hearing.

13. The following is a summary of the principal submissions provided to me. It does not purport to contain reference to all the points made, however the absence in these reasons of any particular point, or submission, should not imply that I did not take such point, or submission, into consideration when I determined the matter. For the avoidance of doubt, I have carefully considered all the evidence and materials furnished with regard to this case.
14. The Match Referee, Mr Tristan Hall, submitted a Report, dated 13th February 2023 in which he stated that in the 96th minute of the Match AA received a second yellow card, hence a red was shown. Immediately upon being shown the red card and being asked to leave the field of play AA called the Referee a “stupid fat cunt” and a “fucking prick” along with other offensive, abusive and insulting language. He then shouted “actually, fuck it, I’m coming for you”. At this point AA approached the Referee in an aggressive manner with his arms flaying. Mr Hall states that he had to take evasive action and move back. AA then shouted “I’ve already got a red now, so fuck it”. AA’s Manager then dragged him off the field of play. Mr Hall goes on to say that but for the actions of other players and the Manager he feels that he would most certainly have been assaulted by AA.
15. In response to additional questions posed by Surrey FA, Mr Hall stated that he was left feeling embarrassed, isolated and worried for his safety. He is considering whether to continue as a Referee.
16. Mr Paul O’Donogue, a Club Official, provided an undated Statement dated in which he describes the Match, offers his opinion of the Referee and the treatment that he felt AA endured throughout from Dion Paizo. He goes on to say that AA was clearly upset that he had been “cheated” and was shouting at the Referee so he (Mr O’Donogue) removed AA from the pitch.
17. In response to the charge, AA provided an undated Statement in which he stated that there was an altercation with a Dion Paizo player who he felt “conned” the Referee into giving him the second yellow card. He felt victimised and singled out and was angry, so he shouted at the Referee saying that he had been “fooled” and was “weak and poor”. He does apologise and regrets shouting at the Referee.
18. That concluded relevant evidence in this case.

Standard of Proof

19. The applicable standard of proof required for this case is the civil standard of the balance of probability. This standard means, I would be satisfied that an event occurred if I considered that, on the evidence, it was more likely than not to have happened.

The Findings & Decision

20. It was noted that AA had responded to the charge via the Whole Game System, admitting the same. Liability was therefore predetermined by the guilty plea.
21. Regulation 96.1 states “*Threatening behaviour; words or actions that cause the Match Official to believe that they are being threatened. Examples include but are not limited to: the use of words that imply (directly or indirectly) that the Match Official may be subjected to any form of physical abuse either immediately or later, whether realistic or not; the raising of hands to intimidate the Match Official; pretending to throw or kick and object at the Match Official*”.
22. On the basis of not only the guilty plea but the undisputed evidence above that AA approached the Referee and threatened him by saying “I coming for you”, the Charge against AA namely

misconduct for a breach of FA Rule E3 – Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour) is found to be PROVEN.

Previous Disciplinary Record

23. After finding the charge proven, I sought the participants offence history. I note that AA has a previous proven misconduct charge in November 2018.

Mitigation

24. Within the bundle there is no mitigation from AA. I note the apology within his Statement.

The Sanction

25. The relevant FA Disciplinary Regulations on sanction (Regulation 101.7.1) states that in respect of this charge a sanction of a suspension from all football activities for a period of between 56 days and 182 days. There shall also be an order that the participant completes an education programme before the time based suspension is served.

26. Regulation 102 provides factors to be considered when determining sanction. In that regard I note the threat and language used and the effect that this had on the Referee. There was no apology on the day. I also note the previous disciplinary record.

27. After taking into consideration all the circumstances in this case, Mr Alsaniwi is:

27.1. to serve an immediate suspension from all football and football activities for 127 (one hundred and twenty seven) days;

27.2. fined a sum of £65 (sixty five pounds);

27.3. to satisfactorily complete an online mandatory education programme before the time-based suspension is served, or Mr Alsaniwi be suspended until such time he successfully completes the mandatory education programme, the details of which will be provided to him and

27.4. 8 (eight) Club Disciplinary Points to be added.

28. The decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Signed...

Karen Hall F.C.Inst.L.Ex (Chairman)

5th April 2023