



Football Association Disciplinary Commission

The Football Association on behalf of

London FA

v

Bosjam United FC Case ID: 11544143M & 11544144

Andrew Abiri Case ID:11544145M

Albo United 1st FC Case ID: 11537294M

WRITTEN REASONS

Factual Background and Chronology

1. These are the Reasons for the decision of the Disciplinary Commission which was held via virtual personal hearing at 18.00 on 24th January 2024.
2. The Commission members were Mr Michael Cloherty (Independent Chairman and National Serious Case Panel), Mr Paul Tompkins (National Serious Case Panel) and Mrs Jane Hodge (National Serious Case Panel).
3. Mr Shane Comb of Wiltshire FA acted as Secretary to the Commission.
4. The following is a record of the main points which the Discipline Commission considered and is not intended to be and should not be taken as a verbatim record of the hearing.
5. The charges in question arose following a game between Bosjam FC (Bosjam) and Albo United First FC (Albo) on 3rd December 2023. Following the fixture, reports were provided to London FA and details of the allegations were contained within these reports.

6. By letter dated 8th January 2024 Bosjam were charged with breach of FA Rule E20 – failed to ensure directors, players, officials, employees, servants, representatives, conduct themselves in an orderly fashion whilst attending a match.
7. By letter dated 8th January 2024 Bosjam were charged with breach of FA Rule E21 - failure to ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any match.
8. By letter dated 8th January 2024 Mr Andrew Abiri, manager of Bosjam, was charged with breach of FA Rule E3 – assault by participant on participant. Mr Abiri was also charged with an alternate breach of FA Rule E3 – Improper Conduct (including violent conduct and threatening and/or abusive language/behaviour).
9. By letter dated 8th January 2024 Albo were charged with breach of FA Rule E20 – failed to ensure directors, players, officials, employees, servants, representatives, conduct themselves in an orderly fashion whilst attending a match.
10. A response was provided by Bosjam admitting the breaches of FA Rule E20 and E21 and they requested that the matter be dealt with at a personal hearing for a verbal plea.
11. A response was provided by Mr Abiri denying the charge of E3 – assault participant on participant and E3 violent conduct and he requested that the matter be dealt with at a personal hearing.
12. A response was provided by Albo denying the breach of FA Rule E20 and they requested that the matter be dealt with at a non-personal hearing.

13. **The Relevant FA Rules**

Assaults by Participants on other Participants

104 If a Match Official's report indicates that a Participant has perpetrated an assault on another Participant causing serious bodily harm before, during or after a Match, the Affiliated Association shall without delay investigate the Referee's report.

105 Following the investigation, the Affiliated Association, if it is satisfied that a prima facie case can be made out against the alleged offender, may:

105.1 issue a Charge; and

105.2 may issue an Interim Suspension Order in accordance with paragraph 113 below against the alleged offender from all football activity until a Disciplinary Commission has adjudicated on the matter.

106 A Disciplinary Commission shall meet to consider the Charge within 28 days of (the date of) the Charge letter.

107 The recommended (or mandatory, where stated) sanctions where a Charge issued in accordance with paragraph 105.1 above has been found proven against the Participant are as follows:

- Player;*
- 1. Suspension from all football activities for a period between 140 days and 5 years with a mandatory minimum suspension for all football activity for 140 days.*
 - 2. A fine of £150.*

Rule E20 provides for

E20 Each Affiliated Association, Competition and Club shall be responsible for ensuring that its Directors, players, officials, employees, servants, representatives, conduct themselves in an orderly fashion whilst attending any Match and do not:

E20.1 use words or otherwise behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative;

Rule E21 provides for:

E21 A Club must ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any Match and do not;

E21.1 use words or otherwise behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative;

E21.2 throw missiles or other potentially harmful or dangerous objects at or on to the pitch;

E21.3 encroach on to the pitch or commit any form of pitch incursion;

E21.4 conduct themselves in a manner prohibited by paragraph E21.1 in circumstances where that conduct is discriminatory in that it includes a reference, whether express or implied, to one or more of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.

E21.5 it shall be a defence to a Charge in relation to Rules E21.1 to E21.4 (only) if a Club can show that all events, incidents or occurrences complained of were the result of circumstances over which it had no control, or for reasons of crowd safety, and that its responsible officers or agents had used all due diligence to ensure that its said responsibility was discharged. However, when considering whether this defence is made out a Regulatory Commission will have regard to all relevant factors including;

- The extent to which the Club has discharged its duty;*
- The severity of the issues involved;*

- *The extent to which similar issues have occurred previously in which case whether the club took sufficient action in preventing further such incidences.*

E21.6 For the avoidance of doubt Rule E21 shall apply to the conduct of both a Club's home and/or away supporters.

Regulation 13 Provides for a Consolidation of Proceedings;

Where the subject matter of or facts relating to a Charge or Charges against one or more Participant(s) is sufficiently linked (including, but not limited to, where offences are alleged to have been committed in the same Match or where there is common evidence of The Association or the defence) and where appropriate for the timely and efficient disposal of the proceedings, The Association and/or the relevant panel shall have the power to consolidate proceedings so that they are conducted together and the Charges may be determined at a joint hearing. (Section 11 page 170 22/23 handbook

The Evidence

14. The Commission had before them the following items to consider:

- (i) An undated screenshot of a social media message attributed to Mr Allan Muir, match official for the fixture, who reported that in the 92nd minute a fight started, on the field of play, between the Bosjam supporters and Albo players and the Bosjam players joined in. Mr Muir stated that weapons were used and players kicked others, resulting in the Albo players receiving cuts, black eyes and swelling to their faces. Mr Muir reported that the Bosjam manager produced a hammer from his kit bag and began to hit a player on the ground making contact with his head and legs. Mr Muir concluded his account by reporting that the police were contacted.
- (ii) An undated screenshot of a social media message attributed to Mr Jesse Joseph, from the South London Union, who reported that as the game ended he saw arguing and pushing between players which quickly developed into a fight. Mr Joseph reported that an Albo player fell to the floor and was attacked by 4 or 5 people and one person grabbed a small ladder and Mr Joseph ran over. Mr Joseph stated that as he got closer to the incident he heard someone say '*who brings a hammer to a football match?*' and one person was carrying a pole, which could have been a corner flag. Mr Joseph added that he saw a male hitting an Albo player, who was holding the assistant referee's flag, with a corner flag and when the incident ceased he saw that a number of Albo players had serious injuries.
- (iii) An undated typed statement from Mr Mikel Ademi, manager for Albo, who reported that he asked the assistant referee to explain how he had flagged for offside and he punched Mr Ademi and hit him with the flag. Mr Ademi stated that Mr Donald Bushi, a player for Albo, was surrounded by 4 to 5 of the Bosjam players and he was kicked and stamped on resulting in a broken eye socket and

multiple bruises and one of the Bosjam contingent produced a metal baseball bat and a hammer. Mr Ademi stated that the male with the hammer, used it to hit Mr Ragip Deliu around the head and Mr John Ograja, a player for Albo, was bundled to the ground and was punched and kicked by multiple players and spectators resulting in a fractured nose. Mr Ademi identified that the Bosjam manager, Andrew, used the hammer to hit Mr Daniel Dempster resulting in a fractured forearm and the Albo goalkeeper, Mr Erjon Shyti, was hit with a metal stepladder.

- (iv) A typed statement dated 27th December 2023 from Mr John Ograja, player and treasurer for Albo, who reported that near the end of the game the Assistant referee, provided by Bosjam, flagged for a debateable offside and as he spoke to the match official he saw his team's manager, Mr Mikel Ademi and his father Miftar, being assaulted as they lay on the ground. Mr Ograja identified the assailants as being the Bosjam managers, the assistant referee and players and he ran over to calm the situation but was met with physical violence. Mr Ograja stated that two Bosjam players, number 1 and 12, were involved in the original confrontation and he saw the Bosjam number 3, who was also the team manager, strike Mr Daniel Dempster, an Albo player, with a hammer. Mr Ograja also identified the Bosjam number 4 acting violently and swinging round a hammer which hit Mr Ragip Deliu over the back of his head. Mr Ograja identified the Bosjam manager as 6'3" tall, black, with shoulder length '*cornrows*' wearing black clothing. Mr Ograja added that as a result of being attacked he got hit on the nose and sustained a fracture but was unable to identify the assailant and he was backing off with an Albo player and was hit with a flagpole by the assistant referee and the Bosjam number 4 who wielded a metal stepladder at him. Mr Ograja stated that many of the Bosjam contingent dispersed from the scene as police were called and he saw that Mr Dempster had blood dripping from his head and was struggling to remain conscious and Mr Deliu sustained a serious wound to the back of his head.
- (v) A typed statement dated 26th December 2023 from Mr Daniel Dempster, player for Albo, who reported that his team scored to go into the lead at the end of the game and shortly afterwards, the Bosjam assistant referee flagged for a dubious offside which his team believed was deliberate cheating. Mr Dempster stated that the team manager Mikel told the Bosjam assistant referee that it was not offside and he was punched by him and Mr Dempster ran over and a mass brawl ensued. Mr Dempster stated that he was trying to stop the brawl by pushing and kicking people and he saw the Bosjam number 5 player swing a step ladder at people and Mr Dempster fell to the floor. Mr Dempster identified that the Bosjam manager swung a hammer at him approximately 8 times saying '*you hit my son*' and Mr Dempster stated that the manager used the claw part of the hammer to hit him on the front of his head, with a further blows struck to the side of his head and his crown. Mr Dempster outlined that he was protected by an Albo player and the Bosjam manager said to him '*nobody hit you with a hammer*' and he was taken to hospital with numerous Albo players, who had serious injuries. Mr Dempster stated that he was treated for his injuries and he provided a number of pictures

of himself and other, unidentified people. Mr Dempster appeared to have a deep laceration to the front right hand side of his head which may result in him being made bald in this area. There were two additional photographs provided showing the Bosjam contingent.

(vi) An undated typed statement from Mr Mikel Ademi, manager for Albo, who reported that he wished to plead not guilty to the charge of E20 on the basis that his players were attacked and they defended themselves and he believed the video evidence showed him pushing the offender away when he was attacked.

(vii) A video clip, labelled video 1 lasting 29 seconds. Key times and incidents are as follows;

11 seconds	Albo number 18 plays a through ball to Albo player 23 and the game is stopped for offside.
19 seconds	Camera moves focus to show group of five males on the sidelines, one holding the assistant referee's flag which he swings with his right hand towards an unidentified male who is pushed back.
23 seconds	Male with the flag swings this recklessly towards a group of three people who are facing him.
25 seconds	Men now seen to run over to the melee including players wearing Bosjam's kit.
27 seconds	Unidentified male fell to the floor and was jumped on and kicked by group of 5 – 7 males.
29 seconds	More players and others now running towards the incident.

(viii) A video clip, labelled video 2 lasting 1 minute 5 seconds. Key times and incidents are as follows;

6 seconds	Group of 20 – 25 people milling around including Albo and Bosjam players and people on sidelines.
17 seconds	Bosjam player seen to drag metal stepladder in his left hand as he followed retreating Albo players and unidentified male running from left to right holding a corner flag in his right hand.
20 seconds	Male with the corner flag used it to hit an unidentified male wearing dark clothing.
35 seconds	Bosjam players and contingent seen to punch and kick at Albo contingent as they retreated and video camera moves focus to show rear of group a males standing on near touchline not getting involved in the incident.
46 seconds	Albo players on the floor and a hand holding a thin object seen to strike down swiftly towards the males.

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| 49 seconds | Black male wearing dark clothing and distinctive hair design holding an item in his right hand moved towards the group on the floor. |
| 52 seconds | Male with item in his hand moving backwards from the group. |
| seconds | . |
- (ix) A video clip, labelled video 3 lasting 1 minute 54 seconds. Key times and incidents are as follows;
- | | |
|-----------------|--|
| 13 seconds | Video footage from about 70 yards away showing large melee involving 40 – 50 people with some in Albo and Bosjam kits. |
| 18 seconds | Male seen to hit another male with a corner flag. |
| 31 seconds | Bosjam player seen to run up and kick Albo player in the back from behind and Albo player fell to the floor. |
| 37 seconds | Albo player on the floor set upon by a group of 5 – 7 males kicking and stamping on him and a further Albo player who fell to the floor. |
| 60 – 79 seconds | Males milling around and Albo player seen to remain on the floor. |
- (x) Mr Andrew Abiri attended the hearing on behalf of Bosjam and he confirmed that the club admitted the breaches of FA Rules E20 and E21. Mr Abiri's verbal plea centred on the part the players, officials and spectators of Bosjam, played that day. Mr Abiri stated that the club did not start the violence but responded when violence was used and he accepted the part they played in the melee.
- (xi) Mr Mikel Ademi, manager of Albo attended the hearing and informed the Commission that he challenged the decision of the Assistant referee for Bosjam and he was punched and hit with the flag by that male and a large scale fight followed. Mr Ademi outlined that many of his team were being attacked and he saw one of his players, Mr Daniel Dempster, lying on the floor being protected by another player and Mr Andrew Abiri, who he knew from league meetings, was standing nearby being held back by his team. Mr Ademi confirmed that he had not seen an attack by Mr Abiri, on Mr Dempster, but he heard people saying that he had used a hammer to inflict injuries on Mr Dempster. Mr Ademi concluded his evidence by reporting that he heard Mr Abiri say to Mr Dempster *'I hit you with no hammer'*.
- (xii) Mr John Ograja informed the Commission that he saw the melee start and he went over to try to stop people attacking each other and was himself met with extreme violence. Mr Ograja stated that he saw Mr Dempster being attacked by Mr Abiri, with a hammer, and one of his team, James, lay on top of Mr Dempster to protect him from the attack.

- (xiii) Mr Daniel Dempster informed the Panel that he saw the fight and wanted to help stop the situation escalating and he was pushing people away when he was attacked by numerous members of the Bosjam contingent. Mr Dempster outlined that he was pushed to the floor and was attacked by a male, he believed to be Mr Abiri, with a hammer. Mr Dempster stated that Mr Abiri said '*you hit my son*' and proceeded to hit him at least three times and it was at this point he realised that Mr Abiri was using the sharp end of a claw hammer to hit him on the head and body and he put his arm up to protect himself and he received injuries to his forearm. Mr Dempster stated that he was 100% sure that Mr Abiri had used a hammer to attack him and after questioning by Mr Abiri, he stated that an injury to his head was not caused by another person using their football boots to inflict those injuries. Mr Dempster outlined that James lay on top of him and when Mr Abiri was led away from him he continually said '*I didn't hit you with a hammer*' and his assailant continued to shout abuse at him for a number of minutes, following him around the area. Mr Dempster confirmed that he attended at A and E and received grazes to his torso and arms, two small cuts to the left hand side of his head, another on the crown of his head and a deep gash on the right hand side of his head. Mr Dempster added that his hair would not grow in this area and he would be disfigured for life.
- (xiv) Mr Andrew Abiri gave evidence to the Commission outlining that there had been a large fight and he had tried to stop this but Mr Dempster was seen to run and inflict a drop kick, from behind, on his 11 year old son and he saw him on the floor being kicked and he tried to protect Mr Dempster and he did not use a hammer. Mr Abiri stated that the head injuries, on Mr Dempster, were as a result of being kicked by studded football boots and when it was put to him that the referee and the witnesses that evening had provided evidence that he had used such a hammer he said that they were lying. A video still of 45 seconds on video 2 was shown to him which showed a male, with a similar hairstyle to Mr Abiri, who could have been holding an implement. Mr Abiri was asked to identify that person and he claimed that that was a named individual who looks identical to him. Mr Abiri concluded his evidence by reporting that the Police attended and made a search and could not find any hammer.
- (xv) Mr Abiri summed up his case by stating that he had merely tried to protect Mr Dempster from being attacked and all witnesses, who had provided evidence that he had hit him with a hammer were lying and the video showed a different male to him. Mr Abiri added that there were four people with the same hairstyle as him present that day.

Decision

15. As part of its work the Commission reminded itself of the standard of proof which was required in order to find the charge proven, which was on the balance of probability.

Bosjam FC

E20

16. The decision of the Commission was to find the charge, against Bosjam FC of breach of FA Rule E20 – failed to ensure that players conduct themselves in an orderly fashion whilst attending a match, proven on the balance of probability. This was a unanimous decision.
17. The factors taken into consideration in reaching these conclusions were the following;
- i. The video showed a large number of Bosjam players involved in scuffles and violent confrontations with Albo players and management staff.
 - ii. Throughout the mass brawl they were aiming punches and kicks towards the Albo contingent and they were seen to use weapons.
 - iii. The admission by the club.
 - iv. The behaviour exhibited by Bosjam's players and managers was violent, threatening, insulting and abusive.

E21

18. The decision of the Commission was to find the charge, against Bosjam of breach of FA Rule E21 failure to ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) conduct themselves in an orderly fashion whilst attending any Match, proven on the balance of probability. This was a unanimous decision.
19. The factors taken into consideration in reaching these conclusions were the following;
- i. The admission by the club.
 - ii. Whilst the video indicates that the Bosjam spectators were part of the brawls and they used weapons, in the form of the corner flag and a metal step ladder, to inflict injuries on Albo players and managers.
 - iii. The behaviour was violent, threatening and abusive.

Mr Andrew Abiri

20. The decision of the Commission was to find the charge, against Mr Abiri of breach of FA Rule E3 – assault by participant on participant proven on the balance of probability. This was a unanimous decision.
21. The factors taken into consideration in reaching these conclusions were the following;
- i. The match official, Mr Ograja and Mr Dempster provided credible and compelling evidence that Mr Abiri attacked Mr Dempster with a hammer hitting him on the head and body.

- ii. Mr Abiri claimed that it was mistaken identity, however Mr Dempster provided compelling evidence that Mr Abiri had made mention of him hitting his son and Mr Abiri confirmed, in his verbal evidence, that this had happened. The Commission found that mention of this provided a direct link to Mr Abiri.
- iii. Whilst much of the video evidence is grainy, footage does show what appears to be a metal implement being wielded against a male, whilst in a vulnerable position on the floor.
- iv. The injuries are considered to be serious bodily harm with one of those injuries, a deep laceration which will disfigure Mr Dempster for the rest of his life.
- v. The behaviour was violent, threatening and abusive.

Albo United 1st FC

E20

22. The decision of the Commission was to find the charge, against Albo of breach of FA Rule E20 – failed to ensure that players and officials conduct themselves in an orderly fashion whilst attending a match, proven on the balance of probability. This was a unanimous decision.
23. The factors taken into consideration in reaching these conclusions were the following;
- i. The video showed a large number of Albo players involved in scuffles and violent confrontations with Bosjam players and management staff.
 - ii. Throughout the brawl Albo players and managers were viewed to throw punches towards the Bosjam contingent.
 - iii. Whilst they were very much the injured party, the Commission found that the Albo players engaged in violent behaviour.
 - iv. The behaviour exhibited by Albo players was violent, threatening, insulting and abusive.

Sanction

24. Having found the charges proven The Commission was able to consider mitigation.

Bosjam FC

25. The Commission was advised of Bosjam's misconduct record over the previous five years which showed they had a clear record.

26. The Commission were provided with additional mitigation for Bosjam in that they are a small club who work with very vulnerable young men in an effort to provide positive activity and prevent involvement in criminal activity.
27. The Commission found that the number of attacks and the use of improvised weapons were aggravating factors.
28. The Commission referred to the Disciplinary Sanction Guidelines of the FA Handbook 2023/24 in arriving at its decision regarding sanction.
29. Having weighed up all of the factors, the penalty imposed by the Commission was as follows;

E20

- i. Bosjam FC are fined the sum of £250.
- ii. Bosjam FC are severely warned as to their future conduct.

E21

- iii. Bosjam FC are fined the sum of £250.
- iv. Bosjam FC are severely warned as to their future conduct.

Mr Andrew Abiri

30. The Commission was advised of Mr Abiri's misconduct record over the previous five years which showed he had a clear record.
31. The Commission received no additional mitigation from Mr Abiri but took into account his 30 year's voluntary work with the club .
32. The Commission found that there were a number of aggravating factors which included that Mr Abiri showed no remorse for the violent assault. This added 10 days to the suspension period. A further aggravating factor was the use of a weapon to inflict numerous serious injuries on Mr Dempster and this added a further 30 days to the suspension period.
33. The Commission referred to the Disciplinary Sanction Guidelines of the FA Handbook 2023/24 in arriving at its decision regarding sanction.
34. Having weighed up all of the factors, the penalty imposed by the Commission was as follows;
- i. Mr Andrew Abiri will be suspended from all football related activity for 180 days. This includes a ground ban.
 - ii. Mr Andrew Abiri is fined the sum of £150.

Albo United 1st FC

E20

35. The Commission was then advised of Albo's misconduct record over the previous five years which showed they had a clear record.
36. The Commission were not provided with any additional mitigation however the Commission were of the belief that, despite their own violent conduct, they were very much the victim of a series of brutal attacks.
37. The Commission found there were no aggravating factors.
38. The Commission referred to the Disciplinary Sanction Guidelines of the FA Handbook 2023/24 in arriving at its decision regarding sanction.
39. Having weighed up all of the factors, the penalty imposed by the Commission was as follows;
 - i. Albo United 1st FC are fined the sum of £100.
 - ii. Albo United 1st FC are warned as to their future conduct.
40. There is the right to appeal in accordance with the FA Regulations.

24th January 2024

Mr Michael Cloherty

Mrs Jane Hodge

Mr Paul Tompkins