IN THE MATTER OF THE FOOTBALL ASSOCIATION
DISCIPLINARY COMMISSION
CHAIR ALONE NON – PERSONAL HEARING

SURREY FA
(on behalf of the Football Association)

and

(1) AYOMIDE CORPES
(2) MATTHEW MCLEANAHAN

DECISION AND WRITTEN REASONS

Preliminary Matters

1. These are the written reasons for the decision and sanction in relation to a consolidated non-personal hearing on 21 October 2022 following charges brought by Surrey FA against:

1.1 Ayomide Corpes (Case ID: 10940627M) ("**AC**"); and

1.2 Matthew McLenahan (Case ID: 10940864M) ("**MM**").

The Charges

AC

2. AC has been charged by Surrey FA with a breach of:

   (a) FA Rule E3 – Improper Conduct against a Match Official (including physical contact or attempted physical contact and threatening and / or abusive language / behaviour).

   (b) The particulars of the charge are that AC slapped the Assistant Referee, MM or similar.

   (c) AC has not formally responded to the charge. Accordingly, the Chair shall consider whether liability is proven, on the balance of probabilities, based on the documentary evidence provided to the Chair.

MM

3. MM has been charged by Surrey FA with a breach of:

   (a) FA Rule E3 - Improper Conduct (including foul and abusive language).

   (b) The particulars of the charge are that MM said to AC 'don't fucking hit my son' or similar.

(c) MM has accepted the charge.

The Evidence

4. This matter relates to a fixture between Perrywood Sports U13s Vipers ("**Perrywood**") and Leatherhead Youth U13s ("**Leatherhead**") on 17 September 2022.

5. The relevant factual background herein is a summary of the principal submissions provided to the Chair. It does not purport to contain reference to all the points made, or to all the statements and information provided, however the absence in these reasons of any particular point, or submission, should not imply that the Chair did not take such point, or submission, into consideration when it determined the matter. For the avoidance of doubt, the Chair has carefully considered all the evidence and materials furnished in this case.

6. The Chair considered the following evidence:

6.1 Witness Statement from Paul Sullivan, the Match Official dated 24 September 2022. Mr Sullivan's evidence can be summarised as follows:

(a) I awarded a foul against the Leatherhead Player, while Connor (Perrywood) reached for the ball, the Leatherhead player started throwing punches at Connor, connecting three times at various points.

(b) The linesman, Connor's father ran onto the pitch to separate the boys. Whilst running on he said, 'you can't fucking do that, he is my son'.

(c) I did not hear the player's response, and Matt then said 'is that because he beat you in the box'. The player replied 'he's a fucking pussy', then confronted Matt and slapped him around the face.

(d) After the resulting melee with Leatherhead players on the pitch and coaches separating players, I spoke to the Leatherhead manager asking if he wanted the game to carry on. With only two minutes left, he said no and I called time.

6.2 Email from Leatherhead dated 5 October 2022 relaying a meeting with AC, which is summarised below:

(a) We met with AC on 22 September 2022.

(b) AC stated that everything happened very quickly.

(c) He had been moved position on the pitch so had only been on that side of the pitch for around 10 minutes, he had the ball and was pulled to the floor by the opponent, with a free kick being awarded. He got into a tussle with the player that pulled him to the ground and no punches were shown.

(d) Following the tussle, the linesman ran onto the pitch, shouting and swearing running in AC's direction. He was shouting the F word and the C word in his direction as he was running aggressively.

(e) AC then pushed the linesman back out of his personal space to which he retaliated by pushing AC back and continuing to swear. AC then swung towards the linesman with a slap and caught him. At this point everyone had now stepped in and separated everyone involved.

(f) AC describes feeling scared and that he didn't really have time to compute what was happening because of the speed everything escalated.

6.3 Statement from Mark Burton, linesman for Leatherhead dated 18 September 2022. Mr Burton's evidence is as follows:

(a) In the second period of the second half there was a call from the Leatherhead players for a penalty which the referee turned down and then a situation developed between a Perrywood defender and Leatherhead attacker as they were battling for the ball. Both players showed aggressive behaviour with the Perrywood player getting the Leatherhead player in a headlock and then the Leatherhead player hit out. The referee was not at the right position of the play, we did not hear his whistle and in my opinion did very little to calm the situation down and control it.

(b) After the Leatherhead player hit out at the Perrywood player, the Perrywood linesman came on to the pitch and started raising his hand in the air at the Leatherhead player, swearing at him and this continued for at least a minute without the referee breaking up and calming down this volatile situation. The Leatherhead player hit out at the linesman after his continued abusive language and aggressive body language. All could see the Leatherhead player was very distressed from the initial confrontation with the Perrywood player and then for the Perrywood linesman to enter on to the pitch with aggressive body language and abusive language was shocking to see and should never have happened. The game was abandoned.

(c) I spoke with the referee at the end of the game to hand my flag back to him and I said the linesman's behaviour was shocking to see, the linesman should have been helping calm the situation down between the 2 boys and instead made it 10 times worse. The referee said he "agreed" with me.

6.4 Statement from Russell Beckwith, Parent and Team Assistant dated 18 September 2022. Mr Beckwith's evidence can be summarised as follows:

(a) We went through on goal and AC was pulled to the ground as he was about to score. As he tried to get up, the tall ginger defender headlocked him and wouldn't let go. AC slipped his head out and pushed the defender.

(b) With that on the side of the pitch, their linesman who was the ginger boy's dad came running on shouting at AC 'oi you little fucker, don't fucking hit my son' whilst coming up to AC's face.

(c) I responded 'oi, don't you dare come onto the pitch threatening my 12 year old player'.

(d) AC looked visibly shocked with the threat of an adult in his face and tried to push him away, then slapped him and moved away.

(e) I was holding the linesman back as I was not sure how he would react next and I pulled him away to have a quiet chat with him and diffuse the situation.

6.5 Statement from Olga Bandakova, Parent of a Leatherhead player dated 18 September. Ms Bandakova's evidence can be summarised as follows:

(a) I saw the Perrywood attacker getting the Leatherhead player in a headlock for about 15-20 seconds; the Leatherhead player managed to get out and pushed the Perrywood player away from him. The situation was getting out of control as the boys

kept pushing each other. The referee did not blow a whistle to stop the game. Then Perrywood linesman, who was closest to the boys, ran on the pitch shouting at Leatherhead player using f##, c##, w## words and demonstrated aggressive body language; quite frankly, I thought he was going to hit the boy.

(b) Russell ran towards the linesman to restrain him, with quite a few other parents running to the boys from another direction. Only then did the ref blow his whistle to stop the game.

6.6 Statement from John Atkins, parent of a Leatherhead player dated 19 September 2022. Mr Atkin's evidence can be summarised as follows:

(a) Approximately 10 minutes from full time I saw an away attacking player in the penalty box in tussle for the ball, the defender then put him in a headlock to ensure the home team got possession. A foul was not given.

(b) The player then threw out his arm to try to release himself. As he then returned back toward his own end, I saw the home linesperson run onto the pitch towards the player directing foul and abusive language at him. Although I was opposite side of the pitch I clearly heard him utter the words "you fu**ing cu**" at this point, he was in close proximity to the player and he responded by slapping the linesperson in the face.

6.7 Statement from Marco Maffei, parent of a Leatherhead player dated 19 September 2022. Mr Maffei's evidence is summarised below:

(a) The opposition player attacked AC and pulled him by the arm; the referee was too far behind to see the foul.

(b) The linesman did not flag the aggressive behaviour, although it was happening within 2 metres of him, not even when the opposition player put AC into a headlock. AC could not get out of the headlock, and still, the game was going on. Finally, AC released himself by pulling away from behind. The linesman ran onto the pitch, waving his finger at AC and saying, 'you f**King C**t'. From my observing position, he could have hit AC.

(c) Parents from our team thought he was making his way toward AC, not just to verbally abuse him but also physically. Parents ran across the pitch to the linesman, but Russell was already holding him back. Only then did the referee stop the game.

6.8 Witness Statement of MM dated 23 September 2022. MM's evidence is as follows:

(a) I was linesman for the second half of the game.

(b) The said player played a different position on this half of the game as he was in the upfront position. As he was playing upfront, my son plays in defence so they were playing against each other.

(c) Towards the 2nd half, approximately 5 minutes from the end of the game, the said player was pulling aggressively on my sons shirt, so I held up my flag as the linesman for a free kick. My son leant down to collect the ball and the said player proceeded to throw 3 punches to the back of my son's head, which connected.

(d) I thought this was unacceptable and expressed this, saying 'you can't do that mate, that's my fucking son'. The said player replied 'I don't care, he is a fucking wanker and

a fucking pussy'. He proceeded to walk towards me and pushed me hard in the chest with his two hands.

(e) I said 'why, cause he done you in the fucking box'. The said player then turned to me and slapped me with his right hand across my left cheek. I did not retaliate.

6.9 Witness Statement of Carl Miles dated 17 September 2022, whose evidence can be summarised as follows:

(a) The Number 15 attacked our defender and linesman. Our player stepped across between the ball and number 15 to shield the ball, number 15 was pulling our players shirt, the ref awarded our team a free kick, when our player went to pick up the ball, number 15 then proceeded to punch our player on the back of the head 2 maybe 3 times.

(b) Our player is the linesman's son, who was stood only feet away, he stepped onto the pitch to stop the altercation and was telling number 15 to get off his son "you can't do that, that's my fucking son" number 15 replied with "he's a fucking wanker" and "he's a fucking pussy"

(c) Number 15 pushed our linesman and slapped him across the face, the Leatherhead manager intervened and took the boy away where number 15 shouted "ha you just got bitch slapped by a 12 year old"

6.10 Witness Statement of Connor McLenahan dated 23 September 2022, whose evidence is contained below:

(a) I was playing my usual position, centre back in defence on the 2nd half of the game. During this time, I was marking this player who was playing upfront for their team.

(b) I was defending and this player was pulling hard at my shirt, the linesman held up the flag and awarded a free kick to our team. I went to get the ball to take the free kick, and as I was leaning down to get it, the player punched me in the back of the head 3 times.

(c) My dad / linesman came onto the pitch and I heard bad language was exchanged between the linesman and the player who was using offensive language towards me including 'he's a fucking wanker, and a fucking pussy'.

(d) I then witnessed the player pushing my dad and slapping him in the face.

(e) My manager came over to get me and it was decided that the game should be called off a few minutes before the end of the game.

Decision on Liability – AC

7. As AC has not formally responded to the charge, the Chair took into consideration all of the evidence before him in considering whether the charge was proven.

8. The burden of proof is borne by Surrey FA that the charge is proven on the balance of probability.

9. Put simply, this means that the Chair should be satisfied that it was more likely than not that AC slapped the linesman, and this constituted physical contact contrary to FA Rule E3.

10. The Chair having considered all of the evidence before him has found that the charge is **not proven** on the balance of probabilities.

11. The reasons for the Chair reaching this decision are as follows:

11.1 The Chair considered paragraph 96.2 of the FA Disciplinary Regulations (contained at p209 of the FA Handbook 2022/23). It provides clarification of the meaning of the charge and reads as follows:

"*Physical contact or attempted physical contact: physical actions (or attempted actions) that are unlikely to cause injury to the Match Official but are* ***nevertheless confrontational****, examples include but are not limited to: pushing the Match Official or pulling the Match Official (or their clothing or equipment)*" (emphasis added)

11.2 The Chair notes that the evidence presented by the two teams are diametrically opposed. The evidence of Leatherhead spectators is that AC was attacked by the Perrywood player, Connor and defended himself. As he was defending himself, Connor's father, MM ran onto the field aggressively, shouting and swearing at AC and putting him in apprehension of violence. The Chair notes from the evidence of Perrywood participants that it was AC who was being very aggressive and without provocation, punched the Perrywood player multiple times which led to MM running onto the pitch and telling him to stop hitting his son, to which AC shouted back obscenities.

11.3 However, the Chair considers that the common theme in the evidence is that on the physical altercation between AC and Connor, Connor's father ran onto the pitch and shouted and swore (the precise language is in dispute) at AC following the physical altercation.

11.4 The Chair has carefully considered AC's evidence in this case. He describes feeling scared, and hitting out at MM who was in his personal space. A number of witnesses describe AC acting aggressively and the Chair has considered the likelihood that an adult running towards a child aggressively, shouting and swearing would put that child in apprehension of harm or violence. The Chair considers that based on the evidence, it was more likely than not that MM approached AC aggressively which AC has stated scared him and which would put AC (or any similar child) in fear of harm.

11.5 The Chair considered the charge issued by Surrey FA. A physical contact charge involves a physical action that must be confrontational. The Chair considers that confrontational means hostile, aggressive or argumentative. In this case, the Chair considers that AC's contact with MM was not confrontational, but rather was an action initiated in self-defence when AC was scared and apprehended violence from MM. This is compounded by virtue of AC's age and inexperience and MM's dominant position as an adult Match Official acting aggressively.

11.6 As the Chair has determined that the physical contact in this case was not confrontational, the Chair does not consider that the charge is successfully made out.

Decision on Sanction - MM

12. As MM has admitted liability, the Chair considered the appropriate sanction to impose. In doing so, the Chair referred to the Disciplinary Sanction Guidelines 2022/23 issued by the FA in relation to the charge.

13. The Disciplinary Sanction Guidelines provide a sanction range for foul and abusive language of between 1-10 matches and a fine of up to £40.

14. It is at the Chair's discretion to vary a sanction where there are aggravating or mitigating factors present for the participant.

15. The Chair consulted MM's previous disciplinary history and noted that prior to this incident, MM did not have any previous proven misconduct charges.

16. The Chair considered that the clean disciplinary history was a mitigating factor. This has to be balanced against the aggravating factor of repeated use of threatening and / or abusive language, the profile of MM and the recipient of his abuse.

17. Therefore, the Chair imposed the following sanction on MM:

    (a) A 42 day suspension (equivalent to 6 matches) from football and all related football activity; and

    (b) A fine of £30;

18. There is a right of appeal against this decision in accordance with the relevant provisions set out in the rules and regulations of the Football Association.

Elliott Kenton
National Serious Case Panel Chair
24 October 2022