

Football Association Disciplinary Commission

The Football Association on behalf of Staffordshire FA

V

Levi Adams – Case ID: 10686174M

WRITTEN REASONS

1. This is a hearing summary and includes written reasons for the decision of the disciplinary commission (the commission) which sat alone on Wednesday 16th February 2022, commencing at 14.00.
2. The commission was a non-personal hearing chaired by Bill Stoneham (National Serious Case Panel).
3. The following is a written record of the main points considered by the commission. It is a summary of the main evidence presented and is not intended to refer to all the points made in the evidence presented. The absence in these reasons of any particular point, or piece of evidence, should not imply that the commission did not consider any such point or evidence. For the avoidance of doubt, the commission carefully considered all the evidence that was submitted.
4. The charges in question arose following a game between Wryley Sunday FC (the opposition) v Walsall Arms FC Reds (the club) in the Lichfield & Walsall District Sunday League played on Sunday 12th December 2021.
5. Staffordshire FA issued a charge letter dated 27th January 2022. In this letter, it is alleged that Levi Adams (the player) used abusive and/or indecent and/or insulting language contrary to PA Rule E3.1, and it is further alleged that this is an aggravated breach as defined by FA Rule 3.2 because it includes a reference to sexual orientation. This refers to the comment(s) 'fucking faggot'.
6. Staffordshire FA provided the following evidence in relation to the charge:
 - I. An undated statement from Pete Chapman (the referee);

- II. A statement dated 13th December 2021 from Jack Dace (the opposition manager and club assistant referee);
 - III. an undated statement from James Redfern, an opposition player;
 - IV. a statement dated 15th December 2021 from Charlie O'Grady – an opposition player.
7. It was noted that Staffordshire FA received no response from either the club or the player in relation to the charges levied. In an occurrence such as this, it is deemed that the player is offering a plea of not guilty.
8. The commission reminded itself that the burden of proving a charge falls upon Staffordshire FA.
9. The applicable standard of proof required for this case is the civil standard of proof, namely the balance of probability. This standard means that the commission would be satisfied that an event occurred if it considered that, on the evidence presented, it was more likely than not to have happened.
10. The assessment of the evidence in such cases is entirely a matter for the commission. The commission must assess both the credibility and the reliability of the evidence placed before it at the hearing.
11. All submissions were carefully read. The evidence can be summarised as follows:
 - I. The referee refers to a well-contested game. Some isolated incidents but nothing he could not handle;
 - II. the referee refers to the opposition manager/club assistant referee informing him at half-time of some alleged comments made by unidentified players from the club, but these could not be substantiated, and the opposition club manager/club assistant referee was uncertain about the identity of the potential culprit.
 - III. the referee is clear that he did not hear any comments made that referred to any player's sexuality;
 - IV. the report from the manager/assistant referee makes a number of unsubstantiated claims. He contends that around 45 minutes the club's no.7 called one of his players 'a fucking faggot'. This was not heard by the referee. When asked at half-time to identify a potential culprit by the referee, the manager/club assistant referee could not give a shirt number or a name. (See also para 11.II above).
 - V. James Redfern's evidence is not compelling. He makes an unsubstantiated accusation that the club's no. 9 made homophobic comments;
 - VI. James Redfern also refers to comments being made to the referee of a homophobic nature, adding 'to the point where he walked off'. These comments are not substantiated and are not supported by the referee. It is also unclear whether James Redfern is possibly suggesting that

the referee left the field of play. The referee's report makes no mention of this event;

- VII. Charlie O'Grady's submission is short and was deemed by the commission to be primarily hearsay. He states the following: '.....during the first half of the game I believe, a player on their team (no.7) put in a tackle on me and the ball went out of play. Following this, he proceeded to call me a fucking faggot...';
- VIII. The commission had two concerns. Firstly, did Mr O'Grady actually hear the comment 'fucking faggot'? The words 'I believe' raise doubt. Secondly, though both Mr O'Grady and Jack Dace mention the club's no. 7, nowhere in the evidence is no.7 identified by name.
12. Based on the balance of probability, the commission deduced that there was insufficient evidence to indicate that the term 'fucking faggot' (or something similar) was said, or that such words were uttered by the player charged. Moreover, in the evidence pack there is no evidence to confirm that Levi Adams actually played in this game and, if he did play, what number shirt he was wearing. Therefore, the charge placed against Mr Adams is found not proven.
13. In reaching this decision, the commission recognised that with the case being dealt with by way of correspondence, the commission was unable to test the evidence through questioning of the witnesses. Thus, it could only consider each witness's account against the totality of the documentary evidence submitted.
14. The lack of response from both the player and his club was deemed to be unhelpful, but the available evidence was not compelling and was insufficient to enable the commission to progress further.

Bill Stoneham

Chairperson

16th February 2022.