

THE FOOTBALL ASSOCIATION DISCIPLINARY COMMISSION

Sitting on behalf of West Riding FA

A NON-PERSONAL HEARING

of

**DEWSBURY RANGERS JUNIORS
(CASE ID: 8733823M)**

THE DECISION AND REASONS OF THE COMMISSION

Introduction

1. On 7th November 2016 the Football Association convened a Disciplinary Commission by video conference (“the Commission”), on behalf of West Riding FA to adjudicate on disciplinary charges levied against Dewsbury Rangers Juniors under case ID 8733823M.
2. The following members were appointed to this Commission:
 - Mr Richard Stubbs, Chairman (FA National Anti-Discrimination Chair Panel)
 - Ms Arshia Hashmi (FA National Anti-Discrimination Chair Panel)
 - Mr Tom Edwards (FA National Anti-Discrimination Chair Panel)
3. Ms Lauren Halsey of Hertfordshire FA acted as Secretary to the Commission.
4. Dewsbury Rangers Juniors (“Dewsbury”) are charged with a breach of FA Rule E20 – that they failed to ensure their volunteer linesman named as Ryan Gomersall conducted himself in an orderly fashion in the match against Park Avenue Juniors U13 on 18th September 2016, in that he used threatening behaviour towards the match referee and the words “Gaylord Bender” were used, which were aggravated by reference to a persons’ sexuality
5. Dewsbury accepted the charge against them by correspondence.

Background

6. On 18th September 2016 an under 13 league fixture took place between Park Avenue Juniors U13 and Dewsbury Rangers Juniors U13 Lions.
7. During the second half of the match the referee, Mr Matthew Hemmins, noticed the Dewsbury volunteer linesman (Ryan Gomersall) in a confrontation with the assistant and manager of Park Avenue. When the referee intervened the linesman was rude and aggressive to the referee.

8. The Commission was provided with a report from the referee, Mr Hemmins, dated the day after the match and an undated statement from Dewsbury provided in response to the charge:
- i. Mr Hemmins referred to noticing a confrontation between Mr Gomersall and the assistant and manager of Park Avenue after he had noted a goal down in the 68th minute of the match;
 - ii. Mr Hemmins stated that Mr Gomersall was aggressively confronting and shouting at both the assistant and manager of Park Avenue. He states that multiple threats of “Just you and me over there now” were made by Mr Gomersall;
 - iii. Mr Hemmins then states that he asked for Mr Gomersall’s attention repeatedly but was ignored but then when he asked for Mr Gomersall’s name (as he did not know it at that time) Mr Gomersall replied aggressively: “You want my name? Ok, it’s Gaylord Bender”. Mr Hemmins states that as Mr Gomersall was unable to be reasoned with the Dewsbury manager took him away and the match was completed. At the end of the game Mr Gomersall provided his name to Mr Hemmins;
 - iv. In the response to the charge Dewsbury write that they acknowledged the original charge against Mr Gomersall directly, paid the fee and submitted a guilty fee. They state that they are surprised that the original charge was changed to a club charge;
 - v. Dewsbury state that Mr Gomersall is a parent in the U13 age group and was a volunteer linesman. They state that Mr Gomersall did not deny his actions but was extremely apologetic to the team manager, players and parents after the game. Mr Gomersall was also said to have been embarrassed by his behaviour;
 - vi. Dewsbury state that since the incident Mr Gomersall has only attended matches as a parent and has not been involved in any other way. Dewsbury’s team manager, Andrew Beaumont states that although he lost his temper Mr Gomersall was provoked as he was pushed in the chest by the Park Avenue coach and that he was

not asked to leave the sidelines after Mr Beaumont calmed him down. He also confirms that Mr Gomersall will not be asked to help in the future.

9. The applicable FA Rule E20 states:

“Each Affiliated Association, Competition and Club shall be responsible for ensuring:

- (a) That its directors, players, officials, employees, servants, representatives, spectators, and all persons purporting to be its supporters or followers, conduct themselves in an orderly fashion and refrain from any one or combination of the following: improper, violent, threatening, abusive, indecent, insulting or provocative words or behaviour, (including, without limitation, where any such conduct, words or behaviour includes a reference, whether express or implied, to any one or more of ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability) whilst attending or taking part in a Match in which it is involved, whether on its own ground or elsewhere; and*
- (b) That no spectators or unauthorised persons are permitted to encroach onto the pitch area, save for reasons of crowd safety, or to throw missiles, bottles or other potentially harmful or dangerous objects at or on to the pitch.”*

Findings and Sanction

12. Given the admission by Dewsbury the Commission were concerned with sanction only.

13. The Commission noted that Dewsbury did not suggest that what was stated by the referee was incorrect and had accepted the charge. The Commission understood Dewsbury’s surprise that the charge had been changed from a charge against Mr Gomersall to a charge against the club but noted that it was the club’s responsibility to ensure that its supporters conduct themselves in an appropriate fashion and that Mr Gomersall had clearly acted in an inappropriate aggressive manner and made what appears to have been a flippant reference to sexual orientation during his actions when placed in a position where he was representing the club in a voluntary capacity.

14. The Commission was mindful that it was not determining whether Mr Gomersall was homophobic or not.
15. The Commission considered the relevant rules under FA Rule E20 and E21 and the Sanction Guidelines issued by the FA.
16. The Commission took all matters into consideration but the following matters were particularly worthy of note.
17. The Commission considered the admission of the charge and the Club's record, which was not a substantial one. The Commission also considered the suggestion that there was some provocation by the Park Avenue coach but more significantly considered the actions taken by Dewsbury since the incident, which appeared to the Commission to have been appropriate ones to ensure that such an incident should hopefully not take place in future.
18. The Commission also noted the aggressive behaviour, the reference that was arguably in relation to a person's sexual orientation and the inappropriate behaviour towards the referee particularly in front of the age range concerned.
19. Taking all matters into consideration the Commission found that the conduct was in the low range of sanctions and the Commission imposed a £30 fine with 5 penalty points.
20. 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.

Mr Richard Stubbs (Chairman)

Ms Arshia Hashmi

Mr Tom Edwards

7th November 2016