

DISCIPLINARY COMMISSION

In the Matter of
Basketball England
v
Sheffield Elite

COMMISSION

The Commission members appointed by Basketball England were:

Chairman: Gerald Daish
Member: Andre Costa
Member: Tom Cleeve

Colin Hills acted as Secretary to the Commission.

A hearing took place online via Microsoft Teams on 19th June 2023 commencing at 09.40am. No representatives from Sheffield Elite were present.

CHARGES

Basketball England charged Sheffield Elite on 3rd May 2023 with a breach of Disciplinary Code 5.6: Failed to ensure Club Officials, players or spectators conducted themselves in an orderly fashion, bringing the game into disrepute.

It is alleged that language or behaviour was used during and/or after the game including:

- The use of abusive and/or offensive language, and/or language that made reference to age and/or gender and/or race/colour, including but not limited to “old bitch”, “bitches” and/or “cracker”; and/or
- The use of inappropriate behaviour and/or gestures, including but not limited to the use of gun and shooting gestures, and/or intimidating behaviour, and/or a spectator confronting an opposition spectator; and/or
- The use of violent conduct after the game, including but not limited to grabbing, pushing and/or punching.

RESPONSE

Sheffield Elite accepted the charge and requested that the matter be dealt with in their absence on the basis of correspondence only.

DOCUMENTATION

- i. Amare Clerveaux, umpire report
- ii. Jake Horowitz – crew chief report and additional info via email
- iii. Hilroy Thomas, Leicester Dynamite coach statement
- iv. Darren White, Leicester Dynamite spectator statement
- v. Gemma Lawal, Leicester Dynamite spectator statement
- vi. Kate Thomas, Leicester Dynamite spectator statement

- vii. Rachel Kemp, Leicester Dynamite spectator statement
- viii. Three photographs showing marks on a player's neck
- ix. Scoresheet
- x. Video clip of incident outside the venue

COMMISSION'S FINDINGS

Sheffield Elite had accepted the charge, leaving the Commission to consider any aggravating and mitigating factors before imposing a sanction against the club.

AGGRAVATING & MITIGATING FACTORS

The offence was aggravated by the following:

- a number of separate incidents of intimidating and abusive behaviour
- the prolonged confrontation in the car park
- aggression of the Sheffield side relative to Leicester
- previous similar charge April 2022 resulting in a £75 fine

And mitigated by the following:

- the coach tried to defuse the hostilities
- acceptance of the charge
- club disciplinary action taken

SANCTION

1. The Commission considered the sanction in accordance with Basketball England's Sanction Guidelines for Serious Cases, by virtue of the abusive language referencing a protected characteristic (gender).
2. The Commission found the breach of Code 5.6 to be of a HIGH level of seriousness.
3. The Commission considered the various elements of the offence, in totality, and imposed the following sanction:
 - Fine £250
4. The Commission also recommends that Sheffield Elite develops and circulates a Code of Conduct for players, officials, and spectators of their club.

RIGHT OF APPEAL

There is a right of appeal against this decision under Basketball England regulations.

Chairman Gerald Daish

Date 19/06/2023