

## **DISCIPLINARY COMMISSION**

**In the Matter of  
Basketball England**

**v**

**Isaac Gordon**

### **COMMISSION**

The Commission members appointed by Basketball England were:

**Chair: Tom Cleeve**  
**Member: Gerald Daish**  
**Member: Shaylla Shabbir**

**Colin Hills** acted as Secretary to the Commission.

A disciplinary hearing took place online via Microsoft Teams on 24/03/2023 commencing at 2.00pm. Mr Gordon was not present.

### **CHARGES**

Basketball England charged Mr Gordon on 15 February 2023 with a breach of Disciplinary Code 5.2: Inappropriate behaviour, falling below the standard expected.

Specifically, It was alleged that inappropriate behaviour occurred, including approaching a Table Official and taking his phone from him, and/or actions that prevented the Table Official from taking back his phone, and/or deleting or attempting to delete content from the phone.

### **RESPONSE**

Mr Gordon did not respond to the charge.

### **BURDEN OF PROOF**

The burden of proof is on Basketball England. The applicable standard of proof is the civil standard: the balance of probability. This means that the Commission is satisfied an event occurred if it considers, on the evidence, that the occurrence of the event was more likely than not.

### **DOCUMENTATION**

- i. Charge letter;
- ii. Report from Michael Fischer (Crew Chief);
- iii. Statement from [REDACTED] (Table Official);
- iv. Email from Luke Freer (Coach, Warwickshire Hawks); and
- v. 2 video clips of the incident.

## **COMMISSION'S FINDINGS**

The Commission found that the video evidence supported Mr ██████'s and Michael Fisher's statements. The video evidence shows Mr Gordon approaching Mr ██████, who was a table official for the match, and snatching his phone out of his hand without his consent. Mr Gordon then pushed Mr ██████ away to prevent him from getting his phone back.

The Commission accepted Mr ██████'s evidence that Mr Gordon had deleted the video from the phone, again without consent, but that Mr ██████ had been able to recover the video from his deleted files.

## **COMMISSION'S DECISION**

The Commission found, on the balance of probability, that Mr Gordon did take Mr ██████'s phone and then prevented him from recovering it before deleting the video file; this amounts to inappropriate behaviour.

Therefore, the Commission found the charge of a breach of Disciplinary Code 5.2 proven.

## **SANCTION**

The Commission found the offence to be a serious case in accordance with Basketball England's Sanction Guidelines, specifically it was found to amount to threatening behaviour towards a match official. It found the offence to be of 'mid' seriousness and as such, Mr Gordon is suspended for 6 months from all Basketball involvement and fined £100.

## **RIGHT OF APPEAL**

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

**Chair:** Tom Cleeve

**Date:** 26/03/2023