

INDEPENDENT DISCIPLINARY PANEL

of UK ATHLETICS

In the matter of disciplinary proceedings brought pursuant to
the UK Athletics Disciplinary Rules and Procedures

UNITED KINGDOM ATHLETICS ("UKA")

and

ENGLAND ATHLETICS ("EA")

The Governing Bodies

– and –

CHRISTOPHER ELSON

The Respondent

THE DECISION

of THE DISCIPLINARY PANEL

1. The Respondent is a member of Bristol & West Athletics Club and is a UK Athletics licenced coach and official. England Athletics is a member organisation of UKA.
2. By a charge sheet dated 1 June 2022 UK Athletics brought charges against the Respondent, alleging he had committed an act of serious misconduct in that he had, on 1 June 2022, assaulted another person, referred to for the purposes of this decision as "PERSON A". These charges were brought on behalf of both UK Athletics and England Athletics.
3. UK Athletics alleges that the Respondent has committed misconduct in the following ways:

3.1. He has failed to comply with the Codes of Conduct for Coaches and in particular has breached paragraph 2.5 which requires coaches to:-

2.5 avoid swearing, abusive language and irresponsible or illegal behaviour, including behaviour that is dangerous to me or others, acts of violence, bullying, harassment, and physical and sexual abuse

3.2. He has failed to comply with the Codes of Conduct for Officials and in particular has breached paragraph 2.6 which requires officials to:-

2.6 avoid swearing and critical, abusive language or irresponsible behaviour, including behaviour that is dangerous to me or others, acts of violence, bullying, harassment and physical and sexual abuse

3.3. England Athletics alleges that the Respondent has committed serious misconduct in that he has breached the England Athletics National Disciplinary Policy, and in particular paragraph 4.1.1.3 which states that it is a breach of the policy if a coach:-

"behaves (whether by action or omission) in a manner which England Athletics considers (acting reasonably) is disgraceful or opposed to the general interests of England Athletics or the sport of athletics or is likely to bring the sport into serious disrepute"

4. The Respondent accepted in submissions submitted to this Disciplinary Panel that he assaulted ■■■. In submissions submitted on behalf of the Respondent he states:-

- *The Respondent accepts approaching PERSON A and stating that he wanted to speak with him*
- *PERSON A continued to walk away from him.*
- *The Respondent accepts that he took hold of PERSON A (taking hold of his jacket at chest level).*

- *The Respondent further accepts that during what followed his right arm came around PERSON A's front and that his left hand was around PERSON A's upper body and lower neck.*

5. The above assault was reported to the police, and the police took the decision to conditionally caution the Respondent. The Respondent wrote a letter of apology to PERSON A.

6. UK Athletics appointed following members of a disciplinary panel (the "Disciplinary Panel") to adjudicate this case:

Clive Dobbin	Chair
Amina Graham	Panel member
Scott Murray	Panel member

7. The Disciplinary Panel was convened for the purposes of a case management hearing on 25 April 2023. In advance of the hearing counsel for the Respondent indicated that he was unavailable for the case management hearing, but in submissions submitted prior to the hearing the Respondent, as stated above, indicated that he admitted the charge. The Respondent also accepted that his conduct constituted a breach of the Codes of Conduct for Coaches and Officials and the England Athletics National Disciplinary Policy.

8. With regard to sanction, the Respondent submitted that:-

8.1. in light of the unique circumstances of this case, the background, history and build up to the incident, the circumstances of the incident itself, the events since and the Respondents acceptance of the charge(s) and the mitigation available to him – that the appropriate sanction in this case is one of a reprimand or warning.

- 8.2. Alternatively, if the Disciplinary Panel conclude that a more severe sanction is merited then the Respondent submitted that a period of suspension (or indeed suspended suspension) commensurate with the period of suspension that the Respondent has already served (and taking account of it) – meaning that the Respondent can return to coaching/officiating in the not too distant future (or immediately) is the appropriate sanction
9. In their submissions, the Governing Bodies stated that it agreed that a written warning/reprimand would be an appropriate and proportionate sanction.
10. The Disciplinary Panel noted that the question of sanction was for it to determine. Having considered the submissions of the parties, it considered that the sanction of a reprimand or warning was not appropriate, as it did not reflect the seriousness of the charge, which related to an assault by the Respondent on another person, PERSON A. Its preliminary view was that a period of suspension of 12 months would be appropriate, with start period of suspension commencing on 1 June 2022, so as to expire on 31 May 2023.
11. The Disciplinary Panel took the unusual step of canvassing the above proposed sanction with the parties by e-mail. This was done because counsel for the Respondent was not available for the hearing on 25 April 2023, and if matters could not be agreed then the hearing would need to be re-arranged and it was unlikely that it would be possible to re-arrange the hearing prior to 1 June 2023. If the Respondent continued to be suspended pending this re-arranged hearing, then this would likely result in the Respondent being suspended for longer than was proposed in the period of suspension suggested by the Disciplinary Panel. Accordingly, the Disciplinary Panel therefore felt that it was appropriate, and in the interests of all parties, if the matter of sanction could be agreed in advance of case management hearing. In response, all parties, including the Respondent, agreed with the sanction proposed by the Disciplinary Panel.

12. Therefore, in taking the above into account the Disciplinary Panel imposes the following sanctions on the Respondent:
- 12.1. To Issue the Respondent with a warning as to his future conduct, pursuant to section 17.2.3 of the UKA Disciplinary Rules;
 - 12.2. Revoke the Respondent's UK Athletics Coach and Officials Licences, for a term of 12 months from 1 June 2022 pursuant to section 17.2.4 of the UKA Disciplinary Rules;
 - 12.3. Suspend the Respondent's membership of England Athletics, for a period of 12 months from 1 June 2022, pursuant to paragraph 10.4.1 of the England Athletics National Disciplinary Policy;
 - 12.4. Issue the Respondent with a warning in respect of the Serious Misconduct committed, pursuant to section 10.4.1.1 of the England Athletics National Disciplinary Policy.
13. In submissions it was suggested that it would be helpful if the Disciplinary Panel would direct to the club, Bristol & West Athletics Club, that the Disciplinary Panel considered the case against the Respondent closed, and that no further action was required. The Disciplinary Panel felt that this was outside of its jurisdiction, and in subsequent submissions the parties agreed with this. The Disciplinary Panel does not therefore make any direction to the Club, and what further steps (if any) the Club takes is a matter for it, but the Disciplinary Panel would still highlight that for the purposes of the disciplinary proceedings brought by the Governing Bodies that it regards the case as concluded and that no further action is required by the Governing Bodies.
14. Our decision is subject to right of appeal in accordance with applicable rules and regulations.

Signed...

Clive Dobbin

Clive Dobbin
Panel Chair, for and on behalf of the Panel
30 April 2023