

Case 8648722S

The Football Association / Liverpool County FA vs Graham McCoughlin

Hearing date Tuesday 13th September 2016

Written Reasons for Decision

1. These are the written reasons for the County FA Disciplinary Commission decision made on Tuesday 16th September 2016.
2. The panel members were Mr. F. Duku, (Chairman), Mr L. Pharo, (Council) and Mr. J. Murphy (LFADP)
3. Ms. L. Halsey acted as Secretary to this panel.
4. Mr. McCoughlin was charged by the Liverpool Football Association with two breaches of rule E3 and one of E3(2) following a Cheshire League match between Pilkington Reserves and Moore United Reserves on August 18th 2016. Mr. McCoughlin was charged with Improper Conduct (including foul and abusive language), Improper Conduct - aggravated by a person's Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Sexual Orientation or Disability, and Improper Conduct against a match official (including abusive language / behaviour.)
5. Mr. McCoughlin did not formally respond to the charge so a Deny (no response received) was recorded as his reply. It was noted though that in a witness statement dated 27/08/16 included in the evidence bundle, Mr. McCoughlin did deny the charge.
6. The full bundle of evidence consisted of a statement from the referee (Mr. B. Peacock), and a witness statement from Mr. McCoughlin.

7. The referee noted in his statement that he heard Mr. McCoughlin call a Moore United player a "fucking queer" following an exchange between Mr. McCoughlin and several players from Moore United after Moore United had scored a goal. The referee was quite sure it was Mr. McCoughlin noting the comment was clearly shouted and that he had an unobstructed view of Mr. McCoughlin when he allegedly shouted this.
8. Mr. McCoughlin in turn denied making the comment but very curiously makes statements such as "I genuinely do not remember making a homophobic remark" and "unless there is a recording of this that can be shown to remind me, I stand by I never said it." These statements are very different to saying "I didn't do it" and seemed more like an attempt to deny the charges on the off chance the evidence available would not be considered enough.
9. In discussing the evidence, the panel considered the referee's statement and agreed it was a clear and straightforward believable version of events which of course could be further verified by the match report relating to the sending of the Moore United player also if needed.
10. All charges were therefore found to be proven. The panel decided the sanction to be applied was a 6 game ban (5 games for the E3(2) charge and an additional game for the E3 charge), a fine of £85, a requirement to complete an Education Course within the next 4 months. Pilkington Reserves were also issued with 6 club penalty points.
11. There is a right of appeal in accordance with FA regulations.

Francis Duku. (Chairman)

16th September 2016