

Football Association Disciplinary Commission
In the matter of Alan Nagle (Case number 10134083M)
'Chair-Alone' Disciplinary Decision

10th March 2020

1. I, Ms. Stacy Newnham-Payne, am appointed to the Commission as Chair to conduct a non-personal hearing.
2. Mr. Alan Nagle was charged with a breach of FA Rule E3 Improper Conduct. It was further alleged that this breach of Rule E3(1) was an “aggravated breach” as defined in Rule E3(2); as it includes a reference to Colour and/or Race.
3. The relevant sections of FA Rule E3 (p. 115 of the FA Handbook Season 2019-2020) states:

“(1) A participant shall at all times act in the best interest of the game and shall not act in any manner which is improper or brings the game into disrepute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.

(2) A breach of Rule E3(1) is an “Aggravated Breach” where it includes a reference, whether express or implied, to any one or more of the following :- ethnic origin, colour, race, nationality, religion or belief, gender, gender reassignment, sexual orientation or disability.”
4. This case was brought by Amateur Football Alliance following a complaint made of words and conduct at a match played on 1st February 2020. It was alleged Mr. Alan Nagle called an opposing player “an ape”.
5. Mr. Alan Nagle formally responded to the charges and pleaded guilty; requesting the matter be dealt with in his absence.

6. I was provided with a small bundle of documents including the charge sheet and written submissions from Mr. Robert Poole (Referee), Mr. Ian Andrews (AFC Secretary), Mr. Daniel Forde (player), Mr. Ian Kennedy, Mr. John Wickham (player), Mr. Shane Mahon (player), Mr. Jamie Murphy (player), Mr. Adam Roe (player) and response submissions from Mr. Alan Nagle.
7. As the charges had been admitted, I proceeded to determine sanction and consulted the FA Rules and 2019-2020 Sanction Guidelines. Mr. Alan Nagle's record was considered, and it was noted there were no relevant charges to be taken into consideration; the same amounted to a mitigating factor when determining sanction.
8. I was mindful that the sanctions guidelines required me to start at an entry point of a 6-match ban together with a £75.00 fine. I am satisfied there are no aggravating features to warrant an increase from the established starting point. Accordingly, I considered the appropriate sanction on this occasion is a 6-match ban. £75 fine and 6 penalty points.
9. Mr. Alan Nagle is also to complete an online FA education programme within four months of original notification of this decision; details of which will be provided by The FA. Failure to complete the mandatory FA Education programme within the relevant timeframe shall initiate the automatic suspension of Mr. Alan Nagle from all football and football related activity until such time as the mandatory FA Education programme has been successfully completed.
10. This decision is subject to the right of appeal in accordance with the relevant regulations within The FA Handbook.

Stacy Newnham-Payne

Chairman

10th March 2020