

DORSET COUNTY FOOTBALL ASSOCIATION  
DISCIPLINARY COMMISSION

CORRESPONDENCE HEARING

*of*

**Mr Luke Moorley**  
**Portland Town Football Club**

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THE DECISION & REASONS OF THE COMMISSION

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### **Introduction**

1. On 22<sup>nd</sup> September 2018, Portland Town FC (the “Club”) ‘A’ team played a Dorset Football League Division 4, home fixture against Shillingstone FC First team (collectively the “match”).
2. The Match Referee, Mr David Mountain, reported incidents involving Mr Luke Moorley, a player for Portland Town FC.

### **The Charges**

3. On 1<sup>st</sup> October 2018, Dorset County Football Association (“DCFA”) charged Mr Luke Moorley with misconduct for a breach of FA Rule E3 – Improper Conduct against a Match Official (including threatening and/or abusive behaviour).
4. It was alleged that in or around the 80<sup>th</sup> minute of the match, following his dismissal, Mr Luke Moorley used threatening and/or abusive language towards the Referee, Mr David Mountain. Calling him a ‘ *fucking cunt* ’, saying that he would ‘ *see him in a minute* ’, and finally calling him a ‘ *big time prick* ’.
5. The relevant section of FA Rule E3 (p. 113 of the FA Handbook Season 2018-2019) states:  
*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 combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.*
6. DCFA included with the charge letter the report received from the Match Referee, Mr David Mountain, and also a copy of the Whole Game System (WGS) page, showing acceptance of the Charge..

**The Reply**

7. The Club, through Mr Judge – the Secretary, responded on behalf of Mr Moorley, via the WGS, accepting the Charge.

No submission was received from Mr Moorley.

**The Commission**

8. The following members were appointed by the DCFA to this Disciplinary Commission (the “Commission”):

Mr Geoff Theobald (*Chairman*);

Mrs Hilary Billimore;

Mrs Vivian Dade.

9. Mr Peter Hough, Disciplinary Manager of the DCFA, acted as Secretary to the Commission.

**The Hearing & Evidence**

10. The Commission convened at 10.30am on 25<sup>th</sup> October 2018 for this Correspondence Hearing.

11. We had received and read the documents supplied prior the Hearing.

12. In the absence of any submission from Mr Moorley, and his acceptance of the Charge, via his Club secretary, the Commission concluded that, in the balance of probability, the report submitted by Mr Mountain, Match Referee, was an accurate account of the incidents’ that had taken place during the match.

13. We agreed unanimously that Mr Moorley’s action of saying to the Match Referee “*see you in a minute*”, was indeed threatening.

**Previous Disciplinary Record**

14. As Mr Moorley had accepted the Charge and pleaded guilty, we sought his previous relevant disciplinary record.
15. We were advised by Mr Hough that Mr Moorley had three (3) previous misconduct charges:
  - 15.1 Nov. 2015 – Improper Conduct against a Match Official (including physical contact and threatening and/or abusive language/behaviour. Suspended 75 days; Fined £70.
  - 15.2 May 2016 – Improper Conduct against a Match Official (including abusive language/behaviour. Suspended 3 matches; Fined £30.
  - 15.3 May 2016 – Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour. Suspended 2 matches; Fined £30.

**Mitigations**

16. No pleas of mitigation were received from Mr. Moorley.

**Our Findings & Decision**

17. As Mr Moorley had accepted the Charge, we would give credit for his guilty plea.
18. Although Mr Moorley has had three (3) previous Misconduct charges against him, these dated back to the 2015/16 season. So with no further Misconduct charges in the past three (3) years, we felt that we would give credit for this.

**The Sanction**

19. With reference to the Charge, the Sanction Guidelines recommend that the punishment for Threatening Behaviour against a Match Official carries a suspension of 112 days/12 matches plus up to a £100 fine.
20. We unanimously agreed that with credit for Mr Moorley's acceptance of the Charge, and his previous relevant disciplinary record, the following sanctions would be imposed:
  - 20.1 to serve an immediate suspension from all football of 84 (eighty-four) days.
  - 20.2 fined a sum of £75 (seventy-five pounds).
  - 20.3 6 (six) Club Disciplinary Points to be recorded.
21. The decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Signed . . . .

**Geoff Theobald (Chairman)**

**Hilary Billimore**

**Viv Dade**