

**FA NATIONAL SERIOUS CASE PANEL**

**DISCIPLINARY COMMISSION**

*Sitting on behalf of Worcestershire Football Association*

**PERSONAL HEARING**

*of*

**CHRISTOPHER CORNES**

**[Case ID: 11537103M]**

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**THE DECISION AND REASONS OF THE COMMISSION**

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**Reader warning: This document contains aggravated language.**

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### **Introduction**

1. On Tuesday 12<sup>th</sup> December 2023 Fairford Town played Worcester City FC (“**the Club**”) in a Hellenic Football League, UHL Premier Division fixture, collectively “**the Match**”.
2. Worcestershire Football Association received a report of Misconduct following the match.
3. Worcestershire Football Association investigated the reported incident.

### **The Charge**

4. On 3<sup>rd</sup> January 2024 Worcestershire FA charged Christopher Cornes, with:
  - i. **Charge 1:** Misconduct for a breach of FA Rule E3.1 (Including foul and abusive language).

- ii. **Charge 2** - Misconduct for a breach of FA Rule E3 – Improper conduct – aggravated by a person’s Ethnic Origin, Colour, Race, Nationality, Faith, Gender, Gender Reassignment, Sexual Orientation or Disability.
- iii. It is alleged that Christopher Cornes (Worcester City FC - Manager) - Used abusive and/or indecent and/or insulting words or behaviour contrary to FA Rule E3.1, and it is further alleged that this is an aggravated breach as defined by FA Rule E3.2 because it includes a reference to Sexual orientation. This refers to the comment(s) “*a faggot*” and/or “*He was acting like a big man but has now turned into a faggot*” and/or “*the term -Faggot- was definitely used, which was then when I walked towards the match officials to make them aware of the situation*” and/or “*if he wants to give it the barry then he needs to back it up the faggot*” or similar.

5. The relevant section of FA Rule E3.1 states: <sup>1</sup>

*“E3.1 A Participant shall at all times act in the best interests 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”.*

*“E3.2 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”.*

- 6. Worcestershire Football Association included with the charge letter the evidence that it intended to rely on in this case.
- 7. Christopher Cornes was required to respond to his charge by 17<sup>th</sup> January 2024.

### **The Reply**

- 8. The Club replied online via the FA Whole Game System on behalf of Christopher Cornes on 17<sup>th</sup> January 2024. Christopher Cornes **denied** both charges and requested a **Personal Hearing**.

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<sup>1</sup> Page 143 of the FA Handbook 2023/2024

### **The Commission**

9. The Football Association (“**The FA**”) appointed the following members of the FA National Serious Case Panel to this Independent Discipline Commission to adjudicate this **Personal Hearing** on Friday 9<sup>th</sup> February 2024 at 6.30pm (“**the Hearing**”), (**We/Us**):

Mr Ian R. Stephenson (Chair)

Mrs Hollie Ball (Commission Member)

Mr Jack Chapman (Commission Member)

Mr Sam Anderson, a Member of the National Secretariat and from Sport Integrity Matters, acted as Secretary to the Hearing.

Mrs Debbie Sowton acted as secretary for the second hearing due to Mr Anderson not being available

### **The Hearing and Evidence**

10. This Hearing required two sittings to conclude it. The first sitting took place on Friday 9<sup>th</sup> February 2024 and commenced at 6.30pm. The Hearing was conducted “**virtually**” via Microsoft teams. The Hearing was attended by the following Witnesses:

11. The County Witnesses present in support of the charge were:

Mr Sam Myatt

Mr Olly Begley

Mr Sam Farr

12. The Witnesses in Defence of the charge were:

Mr Christopher Cornes (the Participant charged)

Mr Adam Mace

Mr Kyle Belmonte

Mr Logan Stoddart

13. Mr Ryan Rowe had been expected to attend to give evidence in defence of the charge but was not in attendance.

14. The second sitting took place on Tuesday 2<sup>nd</sup> April 2024 and commenced at 6.00pm.

The Hearing was conducted “**virtually**” via Microsoft Teams. The Hearing was attended by the following Witnesses.

15. The County Witness attending was:

Mr Sam Farr.

16. The Witnesses in Defence of the charge were:

Mr Christopher Cornes (the Participant charged)

Mr Adam Mace

Mr Kyle Belmonte

Mr Logan Stoddart

Mr Ryan Rowe.

17. The Commission had received and read the bundle of documents provided by Worcestershire Football Association prior to the Hearing.

15. The following is a summary of the principal submissions provided to us. It does not purport to contain reference to all the points made, however the absence in these reasons of any particular point, or submission, should not imply that we did not take such point, or submission, into consideration when we determined the matter. For the avoidance of doubt, we have carefully considered all of the evidence and materials furnished with regard to this case. The following evidence was provided in the case bundle:

16. An FA Extraordinary Report submitted by Sam Myatt dated 13<sup>th</sup> December 2023. Mr Myatt was the Match Official. Mr Myatt stated, and we quote:

*“Following the match, it was brought to my attention by the Fairford Town physio, Olly Begley, that the Worcester City manager had called the Fairford Town Assistant Manager, Sam Farr, a 'faggot'. I advised Olly to bring the Assistant Manager and a representative from the club into the dressing room after the match.*

*Sam Farr, Olly Begley and club secretary, Jody Bevan, came into the dressing room after the final whistle and Sam advised that during a confrontation between him and Worcester City manager, Chris Cornes, Chris called him a 'faggot'. Fairford did advise their VEO camera was on that side of the ground and would need to check if this picked the comment up.*

*Myself and the Assistant Referees (Keith Godfrey & James Bentley) were stood together just outside the centre circle, approximately 15 yards from the touchline and 10 yards from where the two were exchanging words. I couldn't hear exactly what was being said but slowly followed them towards the dressing room area to ensure there were no further issues.*

*When in the dressing room, I consulted both Assistants who confirmed they did not hear any comment.*

*Before leaving, I made the Worcester City Secretary, Kevin Preece, aware of the allegation and that I would need to report this”.*

17. Email communication between Worcestershire Football Association and Mr Myatt.

18. An email from Mr Myatt to Worcestershire FA Discipline dated 22<sup>nd</sup> December 2023 at 14:08 hrs which stated, and we quote:

*“When this was brought to my attention by the physio, Olly, he pointed and identified the individual as he was heading into the changing rooms. I can confirm that the person he was pointing at was the manager, Chris Cornes”.*

19. An email from Mr Myatt to Worcestershire FA Discipline dated 13<sup>th</sup> December 2023 at 10:48 hrs. Mr Myatt stated, and we quote:

*“In response to your email, please see below the answer to your questions:*

*1) The alleged incident happened following the full time whistle as both sets of players and management staff were shaking hands and looking to leave the field of play.*

*2) I believe that Olly heard the allegation and brought it to my attention*

*3) Sam’s body language was hard to read. He advised that everything seemed to roll into one and tried his best to recall the exact timing of the incident and the words used. He did appear to be rather subdued.*

*4) Initially, the body language of the two seemed to be laughing/joke, they did place their arms around each other.*

*5) They then seemed to separate before coming back together where it appeared to be slightly more aggressive as other members of the players and staff joined to separate*

*the two. Words were clearly exchanged but I didn't see a clear change in demeanour of either individual during the conversation in reaction to a comment.*

*6) The match observer, Kevin Small, did not witness the incident or the alleged comment as he was in the stand over the far side of the field from where this incident took place. The first he was made aware of this was when I informed him at the end of the de-brief.*

*7) The de-brief took place in the hospitality area of Fairford Town, so Kevin was not part of the conversation post-match”.*

20. An email from Ravel Cheosiaua, Discipline & Investigations Officer at Worcestershire Football Association, to Mr Myatt dated 13<sup>th</sup> December 2023 at 10:20 hrs. Mr Cheosiaua asked Mr Myatt the following questions, and we quote:

*“1. At what point precisely this alleged serious incident may have taken place?*

*2. As far as you are aware, did Oliver Begley hear the alleged discrimination language or was he just reporting the incident to you?*

*3. Can you describe Sam Farr body language in the dressing room when he described the incident to you?*

*4. Can you describe the body language of Sam Farr and Christopher Cornes as the incident took place, and you and your ARs were stood together in the centre circle?*

*5. Can you describe the body language of Sam Farr and Christopher Cornes as you ‘slowly followed them towards the dressing room’?*

*6. Whilst you added to your report that both ARs did not witness such alleged incident, are you aware of the Match Officials Observer (Kevin Small) did witness such incident? If so, please describe what Kevin Small may have communicated to you during the debrief.*

*7. Was Kevin Small part of the events in the changing room after the game?*

21. An email from Jody Bevan to Mr Cheosiaua dated 14<sup>th</sup> December 2023 at 18:52 providing full video footage of the match. Ms Bevan is the Director of Football and Club Secretary of Fairford Town FC. Ms Bevan stated that the incident in question is at the 126-minute mark of the match and was tagged as “*bench incident*”.

22. The VEO video footage of the match.

23. Email communication (various) between Mr Cheosiaua and Ms Bevan.

24. A Witness Statement from Olly Begley dated 13<sup>th</sup> December 2023. Mr Begley is the Club Sports Therapist at Fairford Town FC. Mr Begley stated, and we quote:

*“As I was walking towards the refereeing team, who were stood roughly 15/20yds away from the 18yrd box, to shake hands at the end of the game, a member of the management team for Worcester City (WCFC) was having a confrontation with one of the assistant referees. The term I heard was ‘You’re absolutely not fit for purpose in this league’.*

*As walking away, this confrontation then began between the member of the WCFC management and Fairford Town’s assistant manager. I was unable to hear the reason as to why this confrontation had started however as I turned around and moved closer, I heard the member of the WCFC managements say ‘Come on then, we’ll have it off in the changing rooms’, all whilst ushering and trying to grab our assistant manager in the process.*

*I walked away further from this to shake hands with other players, and whilst the rest of the people behind me were walking towards the changing rooms, I heard the WCFC member say something along the lines of ‘He was acting like a big man but has now turned into a faggot’. I am not 100% sure that was said; however, the term ‘Faggot’ was definitely used, which was then when I walked towards the match officials to make them aware of the situation”.*

25. Mr Begley further stated that the incident happened at the end of the match whilst shaking hands with the opposition and Match Officials. The use of discriminatory language happened roughly 10/15 yds from the touchline. When Mr Begley alerted the Match Officials of what he had witnessed the Match Officials invited Mr Begley and the Assistant Manager into the Match Officials dressing room to provide a quick verbal statement.

26. Mr Begley also reported the incident to the Fairford Town Football Club Director of Football.

27. A Witness Statement from Sam Farr dated 13<sup>th</sup> December 2023. Mr Farr is the Assistant Manager of Fairford Town FC. Mr Farr stated, and we quote:



*“Exchange of words between myself and a member of the Worcester City Management team near the centre circle. These words carried on to the touchline near the Fairford Town club house.*

*After shaking the officials hands and heading towards the changing rooms the words ‘if he wants to give it the barry then he needs to back it up the faggot’ were directed at me from the Worcester City Manager”.*

28. Mr Farr stated that the incident occurred about 3 minutes after the final whistle.

29. An email from Mr Farr to Ms Bevan dated 26<sup>th</sup> December 2023. Mr Farr stated, and we quote:

*“In response to the below question. The person in question that made the comments with Chris Cornes.*

*Thanks Sam*

*\* As per his report: “After shaking the officials hands and heading towards the changing rooms the words ‘if he wants to give it the barry then he needs to back it up the faggot” were directed at me from the Worcester City Manager’ - who is the Worcester City Manager who made the above alleged discrimination comments? Did you face on this particular Worcester City Manager who made the comment at the time? If no name is known, please physically describe and dress code this particular WCFC member in order for us to be able to identify him with a full name”.*

30. An email from Olly Begley to Ms Bevan dated 22<sup>nd</sup> December 2023 at 13:47 hrs. Mr Begley stated, and we quote:

*“At the time I did not know who it was, but I was later informed by the match official that it was the WCFC manager, Chris Cornes”.*

31. Further email communication between Mr Cheosiaua and Ms Bevan.

32. An email from Kevin Preece, Director, Football Secretary and Safety Officer at Worcester City Football Club, dated 21<sup>st</sup> December 2023 at 18:26 hrs. Mr Preece stated, and we quote:

*“After speaking with Chris upon watching the video and receiving no evidence to back*

*up the allegation we don't feel there is anything to answer to, or write a statement to.*

*So until the investigation gets to that point then we aren't sure what else we can do to help you.*

*We've seen the same video as the club in question has likely sent to yourselves, not sure how investigation can go any further then what it has now.*

*But once we hear back on what is happening with it, then we might be in a better position to write statements to help".*

33. An email from Mr Preece to Worcestershire FA Discipline dated 14<sup>th</sup> December 2023 at 23:28 hrs. Mr Preece stated, and we quote:

*"Further to your correspondence regarding the end of our recent match at Fairford Town we were informed by the match referee a complaint being made.*

*We are totally baffled by this and even the referee confirmed him and his assistants didn't hear anything derogatory having been said.*

*We requested and have been provided with the VEO video footage from Mr Jody Bevan, Fairford Town FC, Director of Football which shows very little, apart from their Physio who apparently made a complaint going over to the officials at the end of the clip.*

*Incidentally he's is far from the short exchange of words at the end of the game when players and staff are leaving the field in an orderly manner.*

*Now that we have viewed the footage we will be looking to complete and provide statements as requested by Monday".*

#### **Evidence in Defence of charge**

34. An undated statement from Chris Cornes, the Participant charged. Mr Cornes stated, and we quote:

*"Firstly I'd like to start by saying i fully deny the charge against me, I've reviewed the footage and all evidence against me and I can't see how we've got to this point. At the time when the charge was raised we did not put any statements or anything in because*

*we believed as we still do, that there is nothing to answer to. Having this black cloud hanging over my head has been immensely difficult to carry around with me for the past few weeks.*

*There are between 8-12 people all in the same area of the alleged incident that supposedly happened. The referee who is positioned just as close as the physio (Olly Begly) hasn't heard anything or who allegedly was meant to have said something. So again not sure how we've got to this point.*

*We have witnesses and statements to back up all of what I said above and more.*

*MISCONDUCT - Jamie Reid I want to report this as misconduct and what a charge brought against him to answer, which is then linked to my case going forward.*

*Further to this, as you know I'm not guilty of the charge and full deny it, but we now want to open a misconduct charge against Jamie Reid manager of Fairford Town FC, which I believe to be the alleged offender in this and that's why he hasn't been a witness to any of this while being the closest person to Sam Farr who the alleged derogatory term was used against. On the VEO you can clearly see this, at the point of the mumbled supposed sentence being said, there is no reaction from anyone around there and in particular Sam Farr which was backed up by all of the officials. So that either points to no one knew who said it, or it was a fan under the VEO ( that where all fans were stood clapping players off, or it was in fact what I believe that it was in fact Jamie Reid and Sam Farr hasn't reacted because he knows it was him and thought nothing of it because his manager said it.*

*We have insta messages between Farr and one of my players with Farr saying he didn't know anything had happened until the physio and Ref told him, in same messages he wasn't bothered about alleged comment.*

*Olly Begly says he didn't 100% hear what was said but 100% heard the word 'faggot' Which is strange in itself, you are 100% on one thing, but can't be 100% on another thing that all happens at the same time. He also says I had an altercation with a match official which again is untrue because nothing was included by officials, so Olly has tried to say this trying to add more substance to his story.*

*In his statement he also says that myself and Sam Farr have a coming together and I*

*grab Sam which again doesn't happen on video, the match officials who were watching don't say this, and Olly had his back was turned as you will see on the VEO when all of this supposedly took place again he's trying to make the story bigger and more believable by adding stuff that didn't happen or he didn't see. Also further to this, with so many people being in the same area and when the alleged term was used, how could Olly pinpoint who it was said to ? Who said it ? Because towards end of video everyone is walking off and everyone is facing the same direction, no one is having any heated words and people are clapping fans. It actually makes no sense at all.*

*Match ref says it was me but in statement says he didn't hear anything alongside the other officials, while being 10 yards or so away. Also in the referee's statement he says 'Sam advised that during a confrontation between him and Worcester City manager Chris Cornes, Chris called himself a faggot'.*

*Ravel (WFA) asks this question to Jody Bevan - can you let us know if anyone else heard the alleged discrimination language/behaviour ( apart from Olly Begly and Sam Farr ) please ?*

*On the video there was a few players and the manager Jamie Reid but no one else as come forward, all of these people were at least 10-12 yards closer then the physio Olly Begley, again something else that doesn't add up at all!*

*We have instagram messages that Sam Farr says he knew nothing about it, until the ref and physio told him it happened. These stories don't add up which again is very strange. Ref didn't hear or see anything. Sam didn't know anything about it. Sam says he was told by ref. Ref says he was advised by Sam. Something is very amiss here and I'm the one at answering a charge in the middle of such a good season and a season very good for my managerial career, being a young manager doing my coaching badges at the same time trying to forge a career and reputation for my future, having this hanging over my head is absolutely horrible, I'm having questions asked me by the club, which could mean my job is in the balance which ultimately could mean my reputation and career could be tarnished by these lies and mismatch stories from people. It's affected me if I'm honest and I'm seeking help from the PFA with this. I will also be asking them to help represent me.*

*The thing that stands out for me. Looking through the evidence, there was help offered to the people at Fairford because of a supposed derogatory term being used. Where's my help in dealing with and coping with this ? Where's my help ? Rav from the Worcestershire FA offering sporting chance help out, why haven't i been offered anything? I'm in the same area when the supposed derogatory word was used, why haven't I been offered help, or why haven't my players or assistant who was very close been offered the same help? Can I not be affected by the word, or anyone else from my club? Thing is these questions will never be answered either.*

*So in conclusion, I'm unsure how this has got this far and I remain resolute in my defence as I was when this first came about, there isn't anything to answer for me".*

35. An undated statement from Ryan Lowe. Mr Lowe stated, and we quote:

*"Throughout the whole after the game stuff I was pretty much within a few yards of Chris at all times.*

*I did not hear Chris say anything along the lines of what was meant to be of been said.*

*There was a bit of a coming together at the end of the game but nothing unusual happened like most football games after a closely fought game with a few decisions that could go either way.*

*As we were walking in after all this had happened the Fairford management were in front of us and I heard ' you're a fucking faggot ' I didn't think anything of it at the time, but it came from in front of us while we were walking in, having looked at the VEO supplied by Fairford it would point to, that it was one of the management who I now believe to be Jamie Reid and Sam Farr.*

*If I had to hazard a guess at which one it would be Jamie Reid because he was the very loud and aggressive one all game, and I know has a poor reputation around this league when you speak to other managers about his conduct etc. I don't know who the comment was aimed at because there was absolutely no reaction by anyone so it shows no one was bothered by it. The refs were quite close to whole incident and I've found out haven't reported anything.*

*When I got asked for a statement from our club sec Kev I was shocked as to why it was needed when Chris shouldn't have anything to answer to, but here we are.*

*I hope this helps in any investigation going forward and if anything else is needed I'm more than willing to help".*

36. An undated statement from Adam Mace. Mr Mace stated, and we quote:

*"After the game on the pitch Sam Farr and I spoke briefly and he didn't say anything had happened when I asked him what had happened with our management.*

*His words were along lines of "usual stuff after game mate nothing unusual"*

*Then I heard a report had been made after the game to the referee by Fairford.*

*That night I messaged Sam to see what the crack was and he said 'he didn't know anything about it until the physio and the ref had told him about it after being upstairs' I've known Sam 10 years plus and I believe this to mean that he didn't have a clue anything was said until physio and ref had told him it did, and then he was asked to give a brief statement.*

*He didn't seem at all bothered about it.*

*I've known Sam a lot lot longer than I've known Chris, but this seems very unlikely to have happened going off what I know and speaking to Sam on that evening. When I found out Sam had put a statement in I did wonder how has he done that when he didn't have a clue anything had actually happened".*

37. An undated statement from Kyle Belmonte. Mr Belmonte stated, and we quote:

*"I was 4/5 yards away from the stuff happening after the game. Nothing seemed out of the ordinary if I am honest.*

*I can't really remember hearing anything that sounded bad, and obviously knowing Chris, I know his voice and can't remember him saying anything along the lines as to what was meant to have been said.*

*Presuming because I was close to the event, I was asked by our club secretary Kevin to do statement.*

*I've watched video a good few times and I still can't pinpoint who has actually said anything. There are a lot of us in the same area and could have been anyone.*

*On video no one reacts to the sentence which makes me think was it the fans who were stood directly by the VEO cause it was by the half way line sort of, but by the bar and not far from changing rooms. At the end of every game fans clap teams off and you can hear that on video.*

*Because there isn't any form of reaction on pitch does that mean it was said by someone by the VEO.*

*Even though it's a bit grainy it seems closer to the VEO then the voices talking on the pitch before and after the sentence was said.*

*I'm just thinking outside the box here, because i don't remember it being said close to me and 100% not by Chris.*

*I do remember the refs being very close and keeping an eye on things, so surely they would have heard it and done reports themselves on it.*

38. An undated statement from Logan Stoddart. Mr Stoddart stated, and we quote:

*"My opinion is nothing happened out of the ordinary or any different to other games this season at times.*

*A couple of weeks after the game I was asked by club if I could do statement because the video showed how close I was to something that was meant to happen. I was more than happy to.*

*I had to watch video footage to jog my memory of the after the game events cause it had been a while since the game. Looking at the video, my opinion hasn't changed, seems like game ended, little coming together but nothing major and that's it, you can hear something very grainy being said, which I'm pretty sure was one of there management because on the video you see him turn around then immediately after it gets said an a Fairford players pushed one of the management away.*

*I vaguely remember something being said but wasn't paying much attention cause we were clapping fans who made long journey.*

*Something that did stick out for me was during the first half I was abused and mouthed*

*at a few times by there bench when retrieving the ball for throw in's and being close to there bench ( I play right back ) and I got threatened to be beat up, got called various names, but after watching video it now sticks out to me that I also got called a 'faggot'. Something was said to me by someone from the Fairford dug out and I told them to fuck off, which someone replied with 'what you gonna do ya faggot' I just laughed and carried on but then after watching the video and hearing what the charge was it made me think back.*

*But now me thinking back and being called a faggot during game maybe this does point to a member of Fairford saying it. What I do remember is there wasn't any other reaction or more coming together after this so don't really know".*

39. A series of historical text message screenshots in the name of Jamie Reid.
40. That concluded all of the Written evidence submitted in this case.
41. We can confirm that we considered and understood all of the written evidence that was provided to us in this case.

**Live oral evidence presented at the Hearing:**

42. The first Witness to present live oral evidence at the Hearing was Mr Sam Myatt. Mr Myatt told us that the written submissions that he had made in this case were correct, accurate, and truthful to the best of his knowledge and belief. He invited the Commission to accept his written submissions as being evidence on which the Commission could rely upon. At this stage Mr Myatt did not wish to correct, alter, or add, to the evidence that he had provided so far. In providing answers to the Commission and to Mr Cornes, Mr Myatt told us the following:
  - i. He confirmed that he did not hear any abusive language used by any person either during or after the match where the word "faggot" was said. He did not hear anyone use the specific word "faggot" at any time.
  - ii. Specifically, he did not hear Mr Christopher Cornes, Manager of Worcester City FC, say the word "faggot" to anybody straight after the match had finished and whilst players and Management of the teams involved in the match were leaving the field of play.



- iii. The first that he had heard of an allegation happened as he was leaving the field of play after the match finished. The Sports Physio of Fairford Town approached him and told him of the allegation as he was walking back to his dressing room at the end of the match.
- iv. The Fairford Town Physio told him that the Fairford Town Assistant Manager had been the subject of an abusive homophobic comment, and the Physio pointed at the individual who he alleged to be the person responsible for making the comment.
- v. The individual identified as being responsible for making the comment was identified as being Mr Christopher Cornes, the Manager of Worcester City FC.
- vi. Mr Myatt did not confront or challenge Mr Cornes. Mr Myatt had received the allegation about an incident that had occurred after the game, and it was his responsibility to report the matter to the Association and this he did. He did, however, make Kevin, the Secretary of Worcester City FC, aware of the allegation as he was leaving the ground.
- vii. Mr Myatt had been informed by the Fairford Town Physio that the comment had been made after the match during a conversation that had taken place between both sets of benches.
- viii. Mr Myatt had not seen, heard, or been made aware of any issues occurring between the two sets of benches until he received this allegation.
- ix. He had not witnessed any noticeable reaction between any of the benches or players as the teams were leaving the pitch.
- x. Mr Myatt invited the Fairford Town FC Assistant Manager, Mr Farr, into his dressing room to hear what they wanted to tell him.
- xi. The Fairford Town Assistant Manager did not explain how the incident had come about other than to say that it had happened after the match. The Assistant Manager confirmed that it was Mr Cornes that had made the comment to him, calling him a “*faggot*”. The Assistant Manager provided no further context about what had been said between them.
- xii. The Physio was “*pretty sure*” that he had heard it as well.

- xiii. Mr Myatt confirmed that nothing had been directly reported to him other than by the Physio of Fairford Town.
- xiv. As the Team Officials were leaving the pitch Mr Myatt was about 15-20 yards away from the Team Officials and was therefore too far away to hear anything being said at normal voice levels.
- xv. At the time individuals of both teams were shaking hands and there appeared no problem.
- xvi. He got the impression that there was an exchange of views going on between the Managers/Coaches but nothing out of the ordinary and nothing to be concerned about.
- xvii. There had been nothing happen that he was aware of during the match between the two sets of benches. The benches were a good distance apart. The game had ended as a draw, either 2-2 or 3-3.
- xviii. After the match had finished there were no raised voices, both sets of managers/coaches were together. There was something between the two sets of managers/coaches that suggested that there could be a disagreement but nothing to cause Mr Myatt any concern.
43. In answer to questions from Mr Cornes, Mr Myatt told us the following:
- i. The Fairford Physio pointed at Mr Cornes and said that it was the Worcester City Manager who had made the inappropriate comment. He thought that Sam had said the Worcester City Manager by position rather than by name.
  - ii. Sam was very clear about who he was pointing at with his identification of the person responsible for making the comment.
44. Next, we heard from Olly Begley. Mr Begley told us that the Statement that he submitted was correct, accurate, and truthful to the best of his knowledge and belief. He invited the Commission to accept his written submissions as being evidence on which the Commission could rely upon. At this stage Mr Begley did not wish to correct, alter, or add, to the evidence that he had provided so far. Mr Begley told us the following:

- i. Mr Begley witnessed two separate incidents involving Mr Cornes as he was leaving the pitch and walking to the dressing rooms after the match.
- ii. The first incident involved Mr Cornes confronting one of the Assistant Referees and Mr Begley, who was about 15 yards away, heard Mr Cornes say “*you’re not fit....*” towards the Official. Other players then came over and Mr Begley kept walking away.
- iii. As Mr Cornes and Mr Farr continued their confrontation Mr Begley continued to walk with his players towards the changing rooms. He was shaking hands with opposition players as Mr Farr and Mr Cornes walked past him. Mr Begley was then stood and he turned to look towards Mr Farr and Mr Begley and at this point he heard Mr Cornes say part of a sentence which included the term “*big man*” and the word “*faggot*”. When Mr Cornes said the word “*faggot*” Mr Begley was a distance of about 10 yards away. Mr Begley saw Mr Cornes say the remark, he saw Mr Cornes’ lips move when he said it. Mr Begley had a clear and uninterrupted view of Mr Cornes at the time.
- iv. Mr Begley did not hear whether there was a response to the comment or not because by this time there were quite a few raised voices from players that had gathered around the two sets of team Officials. There was no noticeable adverse reaction from anybody at the time.
- v. Mr Begley described the Match Officials as being to the left of Mr Farr and Mr Cornes, the Match Officials appeared to the right of the group when looking at the video of the group.
- vi. Mr Begley walked over to the Match Officials, who he knew, and he went up to the Referee and both Assistant Referees.
- vii. Mr Begley told the referee, Mr Myatt, what he had heard, and he pointed towards the person that had made the remark containing the word “*faggot*”. I told the referee that I had heard that person call Mr Farr a “*faggot*”. Mr Begley said that Mr Myatt informed him that he (Mr Myatt) had not heard the remark but when he pointed to the person that he had heard make the remark Mr Myatt told him that the person was Mr Cornes, the Worcester City Manager.

- viii. Mr Begley walked off the pitch and went to the referee's changing room where he spoke further with Mr Myatt about what had been said. This conversation took place in the presence of Mr Myatt, Mr Farr, and Mr Bevan. Mr Begley again repeated what he had heard, he made a verbal statement to all persons present in the Match Official's changing room.
  - ix. Mr Farr also confirmed to Mr Myatt that the remark had been heard by Mr Farr but Mr Begley could not recall what was said by others at this time.
  - x. Mr Begley confirmed that Mr Farr independently identified the person that had said the word "*faggot*", Mr Farr had heard the word said himself.
  - xi. When the confrontation/conversation was ongoing after the match, Jamie Reid was also in and around the conversation but was a little bit further away than Mr Farr was.
  - xii. There was no suggestion that the comment could have been said by any person from Fairford Town.
  - xiii. Mr Begley was "*highly confident*" that he heard the word "*faggot*" said by Mr Cornes. He told us that he was 90% certain that it was the word "*faggot*" that was said, he did not believe it to be possible that he mistakenly took the word for any other word that may have been said.
  - xiv. Mr Begley told us that he was 95% certain that it was Mr Cornes that said the word "*faggot*". He did not believe that it was possible that it could have been said by any other person. Also, it was Mr Cornes that was arguing at the time.
45. With the time at 7.25pm Mr Anderson informed us that the final County Witness, Mr Sam Farr, had advised that he would only be available to attend the Hearing until 7.30pm. This was something that the Commission were not aware of prior to the Hearing commencing.
46. The Panel considered the situation and established that it was a breakdown in communication which had led to the Commission not being informed of the restriction on Mr Farr's availability to attend.
47. After consideration the Commission determined in the interests of fairness and to

achieve a just and fair outcome for all parties that it would not be reasonable to continue without hearing the evidence to be provided by Mr Farr. Mr Farr was considered by the Panel to be a key witness in this case since it was alleged that the comment(s) had been made to Mr Farr. Accordingly, the Commission unanimously agreed that the Hearing should be adjourned to be reconvened as soon as possible at a mutually convenient time and date for the remaining witnesses and the Panel. This was communicated to Mr Cornes who also agreed with the decision to adjourn.

48. The re-listing of the second sitting proved to be an extremely challenging process as many of the dates convenient to the remaining County Witness were not convenient to either Mr Cornes or the witnesses that Mr Cornes wished to call in defence.
49. The second sitting was reconvened and took place on Tuesday 2<sup>nd</sup> April 2024 and commenced at 6.30pm. Due to the unavailability of Mr Anderson, the Secretary to the Hearing, Mr Anderson was replaced by Mrs Debbie Sowton, a Member of the National Secretariat and from Hampshire FA. Mrs Sowton acted as Secretary to the Hearing. The Panel reminded themselves of the evidence which had taken place to date in advance of the second sitting.
50. We heard first from Sam Farr. Mr Farr told us that the Statement that he submitted was correct, accurate, and truthful to the best of his knowledge and belief. He invited the Commission to accept his written submissions as being evidence on which the Commission could rely upon. At this stage Mr Farr did not wish to correct, alter, or add, to the evidence that he had provided so far. Mr Farr told us the following:
- i. At the end of the match Mr Farr became involved in an exchange of words with a person from the Worcester City Management.
  - ii. After shaking hands and heading off towards the changing rooms the Worcester City Manager said to Mr Farr, *“If he wants to give it barry then he needs to back it up, the faggot”*. These words were directed to Mr Farr.
  - iii. The words that were exchanged were not much different to what often happens at the end of a match. It probably happens 30 plus times a season.
  - iv. Chris (Cornes) was saying to the Assistant that *“it was a disgrace”* and Mr Farr thought

that Mr Cornes was referring to the state of the pitch.

- v. Nothing significant had been said between Mr Farr and Mr Cornes when Mr Cornes said to Mr Farr “*If he wants to give it barry he needs to back it up*”. Mr Cornes then called Mr Farr “*a faggot*”.
- vi. Mr Farr had no real issue with that. He was not particularly offended by the remark. He’s been called a lot worse.
- vii. He thought that the comment had perhaps been made out of frustration and due to adrenalin as Worcester City are used to winning, the match had finished as a draw, and they conceded late in the match.
- viii. The comment was made loud enough for 5-6 of the Fairford Town players and Officials to hear as they were walking from the pitch.
- ix. There were quite a few spectators at the match, Mr Farr did not think that the comment was said loud enough for spectators to hear.
- x. The comment was made as everyone was leaving the pitch and heading to the changing rooms. The Fairford Town Physio (Olly) and the Fairford Town Manager (Jamie Reid) were both close by when the comment was made by Mr Cornes. Mr Farr also thought that some of Mr Cornes’ staff were close enough to have heard the comment too.
- xi. Mr Farr was 90% certain that it was Mr Cornes who had made the comment. Mr Farr did not react to it at all, nobody did at the time.
- xii. The matter did not escalate and the next thing that happened is the referee told Mr Farr to go to his office as somebody had reported the comment to the referee.
- xiii. Mr Farr then went to the referee’s changing room. Inside the room the Fairford Town Physio, (Mr Begley) was also present in company with Mr Myatt (the referee) and Mr Myatt’s two Assistant Referees. Mr Begley said to Mr Farr “*Did you hear what he said*”? Mr Begley then repeated the comment containing the word “*faggot*” that had been said to Mr Farr by Mr Cornes.
- xiv. There was nothing else discussed in the referee’s changing room about Mr Cornes.

- xv. Later, Mr Farr messaged a member of the Worcester City team (Mr Adam Mace) with whom he was friends with, about the incident. Mr Farr was unaware that an Official complaint had been lodged with the League/FA, but Mr Farr was aware that a complaint was going to be made.
- xvi. Mr Farr knew himself exactly what Mr Cornes had said to him because he had heard it very clearly. He saw Mr Cornes say the remark as they were speaking to each other from a distance of about 10-12 yards apart.
- xvii. Mr Farr explained to us what his interpretation of the expression "*the barry*" meant. He said that it meant "*the big one*" referring to a man acting as "*the big man*". It is a local term in the area.
- xviii. He was quite certain that it was Mr Cornes who had said the comment and Mr Cornes was the only person that Mr Farr had been having words with after the match.

51. In answer to questions asked by Mr Cornes, Mr Farr told us the following:

- i. He was really sure that he (Mr Farr) was next to Olly (Begley) when the comment was made.
- ii. Mr Farr recalled that he was just in front of Mr Cornes when Mr Cornes made the comment because as Mr Cornes was speaking to Mr Farr, Mr Farr looked over his right shoulder and looked directly at Mr Cornes as Mr Cornes made the comment.

52. Mrs Sowton informed us that we had now heard from all of the County Witnesses that were to provide live evidence in this matter. We then moved to hear from Mr Christopher Cornes, the Participant charged.

53. Mr Cornes told us that the Statement that he submitted was correct, accurate, and truthful to the best of his knowledge and belief. He invited the Commission to accept his written submissions as being evidence on which the Commission could rely upon. At this stage Mr Cornes did not wish to correct, alter, or add, to the evidence that he had provided so far. Mr Cornes told us the following:

- i. The game had ended in a 1-1 draw and had been a keenly contested match.

- ii. After the final whistle whilst everyone was shaking hands before leaving the pitch he thought that he was talking about his team's performance, not about the pitch when he made the comment "*you're a disgrace*".
- iii. He echo's what has been said, he had a bit of adrenalin in him as he shook hands with players, that was it.
- iv. He shook the Match Official's hands, and he clapped his travelling supporters. There was quite a large number of spectators in the ground. He then walked across the pitch on his way to the changing room and the referee followed them in.
- v. Mr Cornes was reminded that Mr Farr had alleged that it was as he was walking towards the tunnel that the alleged comment was made. Mr Cornes told us that he remembered "*Sam and the Manager*" in the area, he thought that they were in front of him. He did not know where Olly the Physio was at that time, Olly wasn't in that area.
- vi. Mr Cornes said that as they walked to the tunnel, he, and Sam and the Fairfield Manager agreed to disagree.
- vii. The fans were lined up and down the side of the pitch. He did not know if someone from the fans had said something. There were fans down both sides of the ground, there was so much going on, he didn't know if someone from the supporters had said something. He personally had not heard anything distinct.
- viii. He knew that there had been words between the Fairford Town manager and the Fairford Town players.
- ix. He did not hear anyone say the word "*faggot*" until he heard it on the video when he was given the VEO by Mr Farr.
- x. He accepted that a word sounding like "*faggot*" could be heard on the VEO. For him that does stand out or is that because he was specifically listening out for that word due to the allegation.
- xi. As he walked from the pitch towards the tunnel he was in company with his Assistant Ryan Rowe, his Captain, Adam Mace, Logan Stoddart, and Kyle Belmonte. All were



in close proximity, all were just behind Mr Cornes, because he had just walked past each of them whilst on his way off the pitch.

- xii. The first time that he heard anything about the allegation that had been made against him was close to midnight on the evening of the match via a group message sent by the Club Secretary who had been told of the allegation by the referee.
- xiii. Mr Cornes told us that he was frustrated at the end of the match because his team had conceded a goal three minutes before the end of the match.
- xiv. The conversation that he had engaged in with Sam (Farr) was just a normal conversation typical of a 1-1 draw. The conversation was “*not overly heated*”, Mr Farr had thought that Mr Cornes was complaining about the state of the pitch, that’s why they ended up putting their arms together. In fact, Mr Cornes was complaining about his team’s defending. Mr Cornes and Mr Farr ended up wishing each other “*all the best*”.
- xv. Mr Cornes stated that there was the Fairford Goalkeeper, a few players, the Fairford Manager, Sam Farr, the Worcester City Assistant Manager, and Sam Myatt and there could also be 8-10 players and Olly all behind Mr Cornes. There could have been half a dozen players from each team in that area at the time. Because of this Mr Cornes would have expected more people to have heard the comment if the comment had been made.
- xvi. Jamie Reid (the Manager) and Sam were very near to each other at the end of the match. There was no significant reaction from anyone at the time. He was 100% sure that if anything like that had been said that there would have been a reaction but there wasn’t any reaction.
- xvii. There were fans in close proximity. It is very difficult to say who said what and why.
- xviii. Mr Cornes said that nothing was said in the bar after the match.
- xix. Mr Cornes and Mr Farr ended up putting their arms around each other at the end and that was the end of it.

54. Next, we heard from Mr Kyle Belmonte. Mr Belmonte told us that the Statement that

he submitted was correct, accurate, and truthful to the best of his knowledge and belief. He invited the Commission to accept his written submissions as being evidence on which the Commission could rely upon. At this stage Mr Belmonte did not wish to correct, alter, or add, to the evidence that he had provided so far. Mr Belmonte told us the following:

- i. He was not aware of any issue after the match. The first he was aware was when he was asked to make a statement by the Worcester City Club Secretary.
- ii. Nobody told him or advised him to say anything specifically in his statement, the statement was his own account.
- iii. He had played attacking midfield in the match. When the match finished he got very close to the fans that were down the side of the ground on the changing room side of the ground. He was engaged in clapping the fans and thanking them for coming to watch the team.
- iv. He did not hear anything from anybody directly, other than a few swear words that are normal at all League matches.
- v. He did not hear anybody say the word “*faggot*” at any stage and nobody brought it to his attention on the night.

55. Next, we heard from Mr Adam Mace. Mr Mace told us that the Statement that he submitted was correct, accurate, and truthful to the best of his knowledge and belief. He invited the Commission to accept his written submissions as being evidence on which the Commission could rely upon. At this stage Mr Mace did not wish to correct, alter, or add, to the evidence that he had provided so far.

56. The Commission had no questions for Mr Mace.

57. In answer to questions asked by Mr Cornes, Mr Mace told us the following:

- i. He had known Sam Farr for longer than he had known Chris Cornes. He had known Mr Cornes for about a year or so.
- ii. Mr Belmonte spoke to Mr Farr to find out what had been going on.

- iii. Mr Belmonte is close to Mr Cornes and has total respect for him, as such he did not believe that Mr Cornes would ever make such a comment.

58. The last witness to attend to provide live oral evidence was Mr Logan Stoddart. Mr Stoddart told us that the Statement that he submitted was correct, accurate, and truthful to the best of his knowledge and belief. He invited the Commission to accept his written submissions as being evidence on which the Commission could rely upon. At this stage Mr Stoddart did not wish to correct, alter, or add, to the evidence that he had provided so far. Mr Stoddart told us the following:

- i. He made his Witness Statement about two weeks after the match when he was asked to make a Statement by the Worcester City Club Secretary.
- ii. There had been “*a little coming together*” after the match had finished but he didn’t think that it was much. Mr Stoddart was occupied with clapping the fans and he didn’t think too much of it.
- iii. The incident had involved his team’s manager, Mr Cornes, and the manager of Fairford Town who he did not know.
- iv. He had seen the video of the match and he had heard the word “*faggot*” on the video. He said that the person that had said the word “*faggot*” seemed like a Fairford Town player who may have said it.
- v. The only time that he heard the word “*faggot*” on the night was when a fan called him that word when Mr Stoddart was preparing to take a throw in. He did not hear Mr Cornes or anyone from Worcester City say the word that evening.
- vi. Mr Stoddart said that he was close enough to hear what Mr Cornes said at the end as everyone was walking off but he was not paying much attention at the time. He was about 10 yards away from Mr Cornes as they moved to walk off the pitch. There were a few people in and around all walking off at the same time.

59. That concluded all of the live oral evidence heard in this matter.

60. We can confirm that all of the written evidence contained within the Evidence Bundle

has been read and considered.

### **Closing Submission**

61. Having heard all of the live oral evidence in this case we invited Mr Cornes to make a

- i. Closing Submission to us if he wished to do so. Mr Cornes then told us the following:
- ii. The allegation had obviously upset him.
- iii. There are discrepancies between the two witnesses, particularly Mr Begley.
- iv. Mr Begley said that he was behind or at the side of Mr Cornes at the time that the comment was said.
- v. Mr Cornes cannot see how the charge can be found proven.
- vi. At the end of the matter Mr Cornes “*hugged it out*” with Mr Farr.
- vii. He considered that he had been treated very fairly, the Commission had been very good.

### **Standard of Proof**

62. The applicable standard of proof required for this case is the civil standard of the balance of probability. This standard means, the Commission would be satisfied that an event occurred if it considered that, on the evidence, it was more likely than not to have happened.

### **The Findings & Decision**

63. The Commission reminded itself that the burden of proving a charge falls upon the County FA, in this case it falls upon Worcestershire Football Association.

64. In a Commission such as this, the assessment of the evidence is entirely a matter for the Commission. The Commission must assess the credibility of the witness when deciding whether their evidence may or may not be relied upon.

65. Where there are discrepancies between witnesses, it is for the Commission to decide which witnesses to accept and which to reject. Even where there are discrepancies

between witnesses or within a witness's own evidence, it is for the Commission to assess if the discrepancy is important. Having considered which evidence to accept and which to reject, the Commission then then must decide if, on the balance of probability, the alleged breach of the FA Rules is established.<sup>2</sup>

66. It should be noted that where direct speech is quoted in a witness statement, it has been recorded exactly in the wording and grammar in which it appears in the witness statement, without making any grammatical or typing alterations to obvious typo errors.

In summary:

67. It is alleged that Christopher Cornes used abusive and/or indecent and/or insulting language contrary to FA Rule E3.1, and it is further alleged that this is an aggravated breach as defined by FA Rule E3.2 because it includes a reference to Sexual Orientation. This refers to the comment(s) "*faggot*", and/or "*He was acting like a big man but has now turned into a faggot*" and/or "*the term faggot was definitely used, which was then when I walked towards the match officials to make them aware of the situation*" and/or "*if he wants to give it the barry then he needs to back it up the faggot*", or similar.

68. Mr Christopher Cornes **denied** both the E3.1 and the E3.2 charges.

69. Christopher Cornes is the manager of Worcester City Football Club and as he was leaving the pitch following his team's 1-1 draw with Fairford Town in the Hellenic Football League, UHL Premier Division on 12<sup>th</sup> December 2023, he became involved in an exchange of words with Mr Sam Farr. Mr Sam Farr is the Assistant Manager of Fairford Town. During this verbal exchange Mr Farr alleges that Mr Cornes called Mr Farr "*a faggot*", and this comment was allegedly overheard by Mr Olly Begley, the Sports Physio of Fairford Town who was walking nearby. Mr Begley then reported what had happened to Mr Sam Myatt, the Match Official.

70. Mr Sam Myatt was the Match Official and he did not hear the alleged comment, Mr Myatt was unaware of any issue between the respective benches.

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<sup>2</sup> Paragraph 4

71. Mr Myatt confirmed that he was made aware of the allegation by Mr Begley as soon as it had happened and Mr Begley informed the Secretary of Worcester City, who was present at the ground, before Mr Begley left the ground.
72. We found Mr Myatt to be a straightforward witness, he did not hear the alleged comment, but he was clear about what was alleged to him, and also clear that the alleged perpetrator of the comment was pointed out to him by Mr Begley, that person he identified as Mr Christopher Cornes. We found Mr Myatt to be credible and believable and his evidence was evidence that we accepted as being evidence on which we could rely upon.
73. Olly Begley was also straightforward. He was 90% certain that he had heard the comment “*faggot*” said to Mr Farr during a verbal exchange after the match with a person identified as being Mr Cornes. Whilst Mr Begley did not know Mr Cornes by name, Mr Begley identified the person who he was 95% certain had made the remark, by pointing the person out to the referee. That person was then identified as being Mr Cornes. We found Mr Begley to be a straightforward witness. We found him consistent with both his written and oral evidence and it was clear that Mr Begley was convinced by what he believed that he had heard, and also the person that he believed to have been responsible for making the comment. We found Mr Begley to be credible, consistent, and believable.
74. Mr Sam Farr was also a straightforward witness. He was the victim of the comment which was allegedly made by Mr Cornes as Mr Cornes and himself were involved in an exchange of words following the match. The evidence of Mr Farr was consistent and it appeared to the Commission that although Mr Farr was clear that Mr Cornes had used the word “*faggot*” as an insult towards Mr Farr, Mr Farr himself was not unduly bothered about the fact that the word had been used.
75. The fact that Mr Farr told us that he has been called much worse in football, and the fact that this type of thing happens a lot, does not diminish the fact that there is no place for the use of aggravated language. It appeared to the Commission that whilst Mr Farr may be quite friendly with Mr Cornes, to the point that appeared likely that Mr Farr wished that action had not been taken against Mr Cornes in this matter. That said, Mr

Farr had no doubts that the word “*faggot*” was said to him, and that the word was said to him by Mr Christopher Cornes.

76. We found Mr Farr to be very credible and believable, and his evidence, both written and oral, was consistent throughout.
77. Mr Christopher Cornes, in defence of his charge, was consistent throughout with his written and verbal evidence. His defence was that he was involved in an exchange of words with Mr Farr, but the word “*faggot*” or anything sounding like the word “*faggot*” word was used. Mr Cornes had watched the VEO footage himself and Mr Cornes conceded that the word “*faggot*” could be heard as the players and Officials were leaving the pitch but the person that said the word was not him. We found Mr Cornes to be consistent and credible with his defence of the charge.
78. Mr Adam Mace was a Worcester City player in the area of Mr Cornes as the players exited the pitch. Mr Mace did not hear anything untoward said by Mr Cornes and did not hear anyone say the word “*faggot*”. We found Mr Mace to be straightforward and credible.
79. Mr Logan Stoddart was another Worcester City player that was in the area of Mr Cornes as the players exited the pitch. He did not hear anything said that was inappropriate by Mr Cornes, and he did not hear the word “*faggot*” said by anyone. We found Mr Stoddart to be straightforward and credible.
80. Mr Kyle Belmonte was another Worcester City player that was near to Mr Cornes as the players exited the pitch. We found that the evidence of Mr Belmonte did not advance the case of either party.
81. We paid very careful attention to the VEO footage that was supplied within the evidence pack. After listening very carefully to the audio section timed at 126 minutes and 40 seconds, the words “*giving it barry*”, followed by the word “*faggot*” can clearly be heard. These are the exact words that were alleged to have been said by Mr Cornes to Mr Farr during the words that were allegedly exchanged between them.
82. At this section of the VEO footage Mr Cornes can also be seen near to the VEO camera position as Mr Cornes was walking off the pitch, and Mr Cornes was close to Mr Farr

at this time. You can clearly see this shortly after Mr Cornes and Mr Farr have a discussion with each other.

83. The Commission were not familiar with the term “*giving it barry*” and we sought an explanation from Mr Farr when he provided his evidence to us. We therefore found it significant that the evidence of the use of this term, followed by the word “*faggot*”, as corroborated by what we could clearly hear on the VEO footage, persuaded us in favour of the evidence provided by Mr Farr. Further, Mr Farr’s evidence was largely corroborated by Mr Begley also.

84. The word “*faggot*” is offensive, abusive and is clearly improper. It has a clear reference to Sexual Orientation as the word relates to a gay man.

85. In making an assessment of the weight and quality of evidence in this matter we were persuaded by the County evidence that was presented in support of the charge. We therefore determined that to the civil standard of the balance of probability, it was more likely than not that Mr Christopher Cornes did say the word “*faggot*” and we found both the FA Rule E3.1 and FA Rule E3.2 charges both PROVEN.

### **Previous Disciplinary Record**

86. After finding the charge proven, the Commission sought the participant’s offence history. Mrs Sowton informed us that there was one previous sanction recorded against Mr Cornes on 6<sup>th</sup> August 2022 for Improper Conduct against a Match Official, but this was not a sanction for discriminatory language.

### **Mitigation**

87. With the charge having been denied there was no formal mitigation provided in the evidence bundle submitted at First Instance, and no mitigation was identified by the Commission in this case.

### **The Sanction**

88. The Commission noted that the Sanction Guideline for Aggravated Breaches stipulates that the sanctioning range is 6-12 matches. 6 matches is the standard minimum, and a



Commission may impose a suspension in excess of 12 matches where there are significant aggravating factors.<sup>3</sup>

89. A Participant found to have committed an aggravated breach will be subject to an education programme.<sup>4</sup>

90. FA Regulations state:

*“Regulatory Commissions shall still be entitled to take all aggravating and mitigating factors into account when determining sanction”.*<sup>5</sup>

91. FA Rule E3.2 – Improper Conduct – is defined in regulations as “*aggravated by a person’s Ethnic Origin, Colour, Race, Nationality, Faith, Gender Reassignment, Sexual Orientation or Disability.*”<sup>6</sup>

92. This was an aggravated breach as it referred to Sexual Orientation.

93. We identified the fact that the Mr Cornes was the team manager to be an **aggravating factor** in this case. No further aggravating factors were identified.

94. We would allow credit for Mr Cornes having a previous Disciplinary Record which we considered to be a **Clean Record**. As the charge was denied, we were unable to consider awarding credit for **Guilty Plea**.

95. In determining the appropriate sporting sanction to impose we would enter the sanction range with a 7-match suspension from all football activities. One further match suspension would be added to the total, taking this to 8 matches suspension prior to considering mitigating factors.

96. We would allow a credit of one match suspension for Mr Cornes having a previously Clean Record. This would reduce the sanction to 7 matches suspension which we considered to be fair, reasonable, and proportionate in this case.

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<sup>3</sup> Page 180 of the FA Handbook 2023/2024

<sup>4</sup> Page 180 of the FA Handbook 2023/2024

<sup>5</sup> Page 180 of the FA Handbook 2023/2024

<sup>6</sup> Page 143 of the FA Handbook 2023/2024

97. Therefore, after careful consideration of the aggravating and mitigating factors in this case the Commission considered that the appropriate sanction to be imposed was:

- i. For breach of Rule E3.2 Mr Christopher Cornes is to serve a 7-match suspension from all football activity.
- ii. This suspension is to include a Ground ban.
- iii. Christopher Cornes must attend an ONLINE Education programme. This must be undertaken before the match-based suspension is served. Failure to comply with this order will result in a Sine-Die suspension being issued against the participant until they have fulfilled this order in its entirety.
- iv. There was no financial penalty imposed.

98. The sanction is formally imposed.

99. The decision is subject to the right of appeal under the relevant FA Rules and Regulations.

Signed.....

Mr Ian R. Stephenson (Commission Chair)

Mrs Hollie Ball (Commission Member)

Mr Jack Chapman (Commission Member)

5<sup>th</sup> April 2024.

