

**IN THE MATTER OF AN APPEAL BOARD  
FROM A DECISION OF A DISCIPLINARY COMMISSION  
PROCEEDINGS BETWEEN:**

**GOLDSWORTH PARK RANGERS FC**

**Appellant**

**And**

**SURREY FA**

**Respondent**

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**WRITTEN REASONS OF  
THE APPEAL BOARD**

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**Appeal Board:**                      **Dominic Adamson KC (Chairman)**  
   **Alec Berry**  
   **Emma Vase**

**Secretary to Appeal Board**   **Conrad Gibbons**

**Date:**                                 **28 May 2025**

**Hearing Format:**                 **Paper Hearing**

**Introduction**

1. These are the written reasons for a decision made by an Appeal Board which sat on 28 May 2025. On 15 April 2025 a Disciplinary Commission imposed a sanction of £160 on Goldsworth Park Rangers.
2. The sanction was imposed following an incident in a match on 28 January 2025 between Goldsworth Park Rangers Girls U8 and Epsom & Ewell Colts (Girls) U8 Hoops – collectively the “match”.

3. It was alleged Goldsworth Park failed to ensure that spectators and/or its supporters (and anyone purporting to be its supporters or followers) behaved in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative contrary to FA Rule E21.1.
4. It was further alleged that the words and/or behaviour made reference to sexual orientation contrary to FA Rule E21.4. This refers to the comment(s) made by spectators “Lesbians” or similar.
5. The Disciplinary Commission found that the charge was proven. The Commission produced Written Reasons dated 2 April 2025.
6. The Club Secretary prepared a Notice of Appeal. The following grounds of Appeal were advanced:-
  - a. The Commission failed to give the Club a fair hearing; and/or
  - b. The Commission failed to comply with rules and/or regulations of the Association; and/or
  - c. The Commission came to a decision which no reasonable body could have come to; and/or
  - d. The Commission imposed a penalty or award or order or sanction that was excessive.

### **Background to the Case**

7. As noted above, the charge relates to events at an U8 girls football match being played between Epsom & Ewell Colts and Goldsworth Park Rangers. The substance of the allegation was set out at paragraph 33 of the Commission’s Written Reasons as follows:

*“Essentially it was alleged that a spectator of Goldsworth Rangers Girls called an Official of Epsom & Ewell U8 Colts Hoops “A Lesbian”.”*

8. The alleged incident occurred after the conclusion of the match.

9. The Written Reasons rehearse the relevant evidence at paragraphs 12 to 18. We do not repeat those citations in full and have anonymised individuals named throughout the document. However, we note the following short extracts:-

- a. The Match Official reported *“At the end of the game the dynamite parents came over and the coach was saying to his team about how the assistant Epsom coach ruined the game for them. So then the Epsom assistant coach went over to say that he was being the aggressive one and that it’s just a game and he shouldn’t still be talking about it to the girls. The dynamite parents then got involved shouting rude remarks at the women assistant Epsom coach about how she’s awful and that the coaches should be ashamed of themselves.”*
- b. LB, Assistant Manager of Epsom & Ewell Colts U8 Hoops stated *“I then noticed that there appeared to be some heated exchanges between some of the GPR group and the Hoops parents so myself and L started to walk across the pitch to try and diffuse any potential situation, ensuring the Hoops players all stayed on the coaches sideline with J. As I approached the opposite touchline I heard K, one of the Hoops mums, say ‘Yes I am a Lesbian actually and I have a wife at home; why is that a problem’? and I heard the same GPR dad, who had previously shouted at me and L, shout back at her ‘Good for you’. I did not hear what had been said between them prior to this.”*
- c. LD, Assistant Manager of Epsom & Ewell Colts U8 Hoops stated *“I walked over towards what was going on, when I arrived, I heard the same individual who had only moments ago been shouting aggressively towards me, shout at K, ‘YOU LESBIAN’, This was said in a very threatening manner. K responded by saying, ‘yes I am a lesbian thank you, I have a wife at home, are you ok with that’.”*
- d. JB, Manager of Epsom & Ewell Colts U8 Hoops, stated *“At the end of the match, one of the opposition parents shouted homophobic abuse at one of our parents calling her a lesbian”.*
- e. A statement from LB stated *“Then one of the opposition’s parents then called one of our parents a ‘Lesbian’ in an aggressive and derogatory way which is homophobic abuse”*

10. The Disciplinary Commission noted that none of the evidence served on behalf of GPR addressed the behaviour of the parents/spectators after the match had concluded. Accordingly, the Commission noted that these statements ‘*did nothing to advance the case of either party*’ (see paragraph 18 of the Written Reasons). The Club did refute the allegation that discriminatory comments were made which was characterised as a “*smear tactic*”.
11. We also note that a charge of improper conduct was brought against another Participant (this was apparent from the bundle of documents placed before the Appeal Board). The Appeal Board asked the Secretary to confirm what had happened in relation to that charge. We were informed that it was disputed by that Participant. We were informed by the Secretary to the Appeal Board that charge was found not proven.

### **The Decision of the Disciplinary Commission**

12. At paragraph 10 - 11 of the Written Reasons the Disciplinary Commission explained:

*10 A Hearing [was] convened to hear this case on Monday 31st March 2025. This Correspondence Hearing followed a Personal Hearing which related to a Consolidated charge arising from the same match....*

*11 As the Hearing was a Correspondence Hearing the charge was determined only by reference to the written submissions submitted by both parties in this matter at first instance.”*

13. The Disciplinary Commission directed self as to the standard of proof at paragraph 24:

*24 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.*

14. Having considered all the evidence, at paragraph 31 – 40 the Disciplinary Commission reached its decision for the following reasons:-

- 31 *The Witness Statements submitted from the Club make no reference to the behaviour of any of the Club's parents/and/or spectators in this incident which allegedly happened as soon as the match finished.*
- 32 *It is clear from the evidence that the Club's Statements that there was some form of disagreement/ dispute involving persons from both teams with each other because the Club Statements were essentially counter claims and allegations against the parents/spectators of Epsom & Ewell U8 Colts Hoops, however this team are not the subject of charge in this matter and that is the reason why the Club's evidence in that respect is not stated in these reasons*
- 33 *We examined most carefully the allegations made by the County FA Witnesses in support of the charge. We found the County FA evidence to be broadly consistent, clear, and straightforward. Essentially it was alleged that a spectator of Goldsworth Rangers Girls called an Official of Epsom & Ewell U8 Colts Hoops "A Lesbian".*
- 34 *There are multiple Witnesses who stated that they heard this comment, and there is a Witness Statement from LD, the Assistant Coach of Epsom & Ewell U8 Colts Hoops, who heard the comment allegedly made towards K, a mother of an Epsom & Ewell Colts U8 Hoops player's mother. LD stated in her Witness Statement that that a Goldsworth Park Rangers Girls spectator said to K "You Lesbian" this being said in a threatening manner. LD stated that K responded by saying "yes I am a lesbian thank you, I have a wife at home, are you ok with that".*
- 35 *We found it inconceivable that K would respond to an opposition team's spectator with this comment unless it was in direct response to a word that had just been said to her (said to K).*
- 36 *Overall, we found the individual and collective evidence produced by the County FA to be straightforward, clear, consistent, and believable.*
- 37 *In defence of the charge the Club provided counter allegations against their opposition team's parents/spectators but provided no reference to the contents of the charge, other than the Club's Secretary, F, stating that the Club categorically denied the accusation.*
- 38 *Having already stated that we found the County FA evidence believable, we believed it. We determined that the County FA evidence was evidence on which we could rely upon.*

39 *Using the words “You Lesbian” to a female, is insulting, abusive, and offensive. It is Improper. Such a comment also contains a reference to a protected characteristic, namely Gender.*

40 *After careful consideration of all of the evidence in this matter we determined to the civil standard, that being the balance of probability, that it was not more likely than not that the alleged comment “You Lesbian” was made by a spectator associated with Goldsworth Park Rangers Girls as alleged and we found the Misconduct charge for a breach of FA Rule E21.4 (the aggravated charge) to be PROVEN. This was found proven by a unanimous decision.*

31. Before turning to each of the Grounds of Appeal we make one observation about the analysis above. At paragraph 39 the Disciplinary Commission state that the use of the word ‘*Lesbian*’ was a reference to a protected characteristic. In our view, that was undoubtedly correct. However, it is a reference to sexual orientation rather than gender. In our view, nothing turns on this error.

## **The Appeal**

32. We remind ourselves that our task is not to rehear the case. It is to review the decision to examine whether the Disciplinary Commission fell into error. An Appeal Board cannot and should not interfere with the Disciplinary Commission’s findings of fact unless it failed to have regard to a relevant matter or took into account something which it ought not to have taken into account. The fact that we might have reached a different conclusion to the Disciplinary Commission when weighing the same evidence is not a sufficient reason to interfere.

33. As noted above, the Appellant has made four submissions. We deal with each of them in turn.

### **Submission 1: The Commission failed to give the Participant a Fair Hearing**

34. The Appellant requested that the charge be dealt with in their absence at a Non-Personal Correspondence Hearing.

35. The Disciplinary Commission reviewed all the evidence and identified the parts of that evidence which it considered to be relevant. It also provided reasons why other parts of the evidence which related to events during the game were – in their view – irrelevant.

36. In our view the approach of the Disciplinary Commission was beyond reproach and entirely fair. In our view, this submission had no merit.

**Submission 2: The Commission failed to comply with rules and/or regulations of the Association**

37. The Appellant asserts as follows:

*“Further to the statement of facts – GPR believe the interpretation of the evidence to come to the conclusion a charge should be levied on GPR is entirely wrong. The Evidence states an incident GPR have raised concerning one of its coaching staff being assaulted and then a 7 year old girl being verbally abused by Epsom coaching staff. Any comments from GPR parents that have been alleged are unfounded, Epsom are unable to identify or even provide a description for an individual and should be treated as malicious.*

*Furthermore GPR provided ample evidence to the discipline process relating to one of our coaches being assaulted by a member of the Epsom coaching team and one of the Epsom coaches verbally abusing a 7 year old girl (GPR Player) during the match and no further action has been taken.”*

38. We are not persuaded by this argument. First, the Appellant has failed to identify a Rule or Regulation which the Disciplinary Commission failed to comply with. Second, and in any event, as we note above, the interpretation of the evidence was a matter for the Disciplinary Commission. Third, and perhaps most importantly, there was ample evidence to support the conclusion reached by the Disciplinary Commission. The Disciplinary Commission concluded that the evidence relied upon by the County of FA was ‘*clear, consistent and believable*’. Whereas the Commission found that the evidence served by the Club did not address the charge. We share the views expressed by the Disciplinary Commission. Had we been determining the case at first instance, we would have reached the same conclusion.

39. Be that as it may, on any view the Disciplinary Commission was entitled to conclude that the factual basis of the charge was established and the case proven.

**Submission 3: The Commission came to a decision which no reasonable body could have come to**

40. This was in essence a repetition of the second submission. We repeat our observations made above at paragraphs 38 and 39 above. However, the Appellant adds that *“they [i.e. the Club] were not asked to do anything other than deny the charge and no opportunity was provided for GPR to provide witness statements outside those provided for the charges against Epsom.”* We reject this assertion. The Appellant had had ample opportunity to address the evidence presented. The evidence it did present did not address the substance of the allegation which concerned events after the match (as was noted by the Disciplinary Commission). Instead, the Appellant simply issued a bare denial of those allegations. In our view, based on the evidence before it, there can be no legitimate criticism of the conclusion reached by the Disciplinary Commission. As we note above, we would have reached the same conclusion.

**Submission 4: The Commission imposed a penalty or award or order or sanction that was excessive.**

41. We set out the Appellant’s submission in full:

*“Further to the statement of facts – GPR have a zero tolerance policy in relation to any for[m] of discrimination this is set out in our code of conduct and associated policies we ask all parents and players to agree to when registering each year with the club.*

*As a club GPR Girls have a proud record of little to no disciplinary issues (none at all for the 24/25 season) given the highly speculative nature of the charge, the lack of supporting evidence, the context for the incident not only do we feel the charge itself is highly questionable but the imposition of a £160 fine where no individual*



*has been identified and evidence is highly contradictory is quite excessive and should not stand.*

*The reason why it would be substantially unfair not to alter the original decision is because... There is no evidence this incident took place, no individual was identified adding further weight to the fictitious nature of the claim. The Fact that Epsom appeared to have got away with assaulting one of our coaching staff, verbally abusing a 7 year old girl while trying to enjoy a sport that she loves and then somehow getting GPR charges with something to this extent seems highly calculated and like the incident has been manipulated in some way.”*

42. The Club repeatedly suggest that there was a ‘lack of evidence’ and/or ‘no evidence’ to support the charge. We recognise that these are not legal proceedings and that occasionally a party may go a little too far in the tone of their submissions when trying to make a point. But on any view, the thrust of the point being made is without merit. The Disciplinary Commission carefully set out all of the evidence which supported their conclusion. It came from multiple sources.
43. The Disciplinary Commission correctly identified the sanction range of a fine of £100 to £200. It reasonably concluded that the language used meant this was an Aggravated breach and that this was a case with a high level of seriousness. It fairly took account of the mitigation available to the Appellant including its clean disciplinary record. The fine of £160 was within the range of sanctions which could be imposed and was justified on the facts of this case.

### **Conclusion & Costs**

44. For the reasons set out above, we unhesitatingly reject this appeal. The Appellant was notified of the decision of this Appeal Board in a letter dated 28 May 2025. In that letter the Appellant was informed that in our view the Appeal had had no reasonable prospects of success and that we were minded to impose an order that the Appellant pay the costs of the Appeal in the sum of £50. The Appellant was invited to provide written submissions.

45. We were provided with a copy of an e-mail dated 1 June 2025. The Appellant indicate that it was incredibly disappointed in the decision. The e-mail then repeated the points it has previously made e.g. that the allegation was ‘unfounded’. It was suggested that the U8 coach had resigned and withdrawn their child and the Club Secretary (who has been advancing submissions on behalf of the Club) was considering his position. The future of the under 8’s group at the Appellant Club is said to be in jeopardy. It was suggested that the fine was excessively punitive and ought to be waived.

46. Nothing in the Appellant’s written submissions persuades us that we were wrong to conclude that the appeal had no reasonable prospects of success. We are saddened by the indication that the U8 team at the Appellant Club is in jeopardy. Having reflected to the matter, and taking account of the fact that the Club’s resources are likely to be modest and the fact that this involved an U8 game and that a sanction of £160 has been imposed, we have decided with considerable hesitation, to exercise our discretion and make no order as to costs notwithstanding our views on the appeal’s lack of merit.

47. We end these written reasons with the following observation. We have read the papers in this case with dismay. That a game involving children under the age of 8 should have been punctuated by and ended in such acrimony beggars belief. We hope that the representatives of both Clubs will make strenuous efforts to ensure that any future fixtures between them are conducted in appropriate atmosphere.

48. Accordingly, our decision is as follows:-

- a. The Appeal is dismissed.
- b. No order as to costs.

49. Our decision is final.

**Dominic Adamson KC**

**Alec Berry**

**Emma Vase**

**17 June 2025**