

Football Association Disciplinary Commission
In the matter of Kurtis Sharkey (Case number 10846445M)
Disciplinary Commission Decision
11 July 2022

1. The members of the Commission were Mrs Stacy Newnham-Payne (Chairperson), Mr. Andy Chaplin and Mr. Roger Gell.
2. Mr. Jon Fancy (Hampshire F.A.) acted as Secretary to the Commission.
3. Mr. Kurtis Sharkey was charged with a breach of FA Rule E3: Improper Conduct against a Match Official (including threatening and/or abusive language/behaviour).
4. The relevant section is FA Rule E3 (FA Handbook Season 2021-2022) 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.

5. This case was brought by Gloucestershire F.A. following a complaint made of words and conduct at a match against Bampton United First on 30 April 2022. It was alleged Mr. Kurtis Sharkey had used threatening and/or abusive and/or indecent and/or insulting language towards a Match Official. It was further alleged he threatened to ***“I will rip your fucking head off you little prick”*** or similar.
6. Mr. Kurtis Sharkey formally responded to the charge, pleaded guilty and requested that the matter be dealt with at a personal hearing. Given the charge had been accepted no County witnesses were called to attend the hearing.
7. At the hearing the charge was read. The Commission proceeded to consider the evidence in support of the charge; namely the statement of Mr. Clifford Grove (Referee). It was reported

"I am reporting Fratello's player Kurtis Sharkey. I sent him off for S6 when I issued the card he tried to get to me shouting I will rip your fucking head off you little prick. if his players had not held him back I think he would have hit me. I felt very threatened. He stood on the side of the pitch still shouting at me and giving me the middle finger when I asked him to head back to the changing room.

Q- Who held Mr Sharkey back and why did you think he was going to hit you?

A- Mr Sharkey had to be held back by three of his players he was trying to get over them he went absolutely berserk.

Q- what were the words used when Mr Sharkey shouted at you from the side of the pitch?

A- at the side of the pitch he was calling me a wanker and telling me to go fuck myself and sticking the middle finger up at me every time I told him to move away from the pitch."

8. Given the charge had been admitted, the Commission proceeded to hear a plea of mitigation. Mr. Kurtis Sharkey sought to impress upon the Commission that he recognised his behaviour was unacceptable and that it was appropriate that he should be disciplined for the same. He explained he has a high pressure job, two young children and was currently dealing with difficult personal circumstances. The Commission was invited to accept his behaviour was out of character. The Commission noted Mr. Kurtis Sharkey considered the referee to be acting unjustly and apportioned some blame for his behaviour. Mr. Kurtis Sharkey expressed great concern that should he be sanctioned to a period of suspension there would be no appropriate coach for the youth team. The Commission was encouraged to consider a sanction that would have allowed him to continue in this coaching capacity.
9. Given the charge had been admitted, and having heard from Mr. Kurtis Sharkey, the Commission proceeded to determine sanction and consulted the FA Rules and 2021-2022 Sanction Guidelines. Mr. Kurtis Sharkey's record was considered, and the Commission noted there were no prior relevant charges. This amounted to a mitigating feature.

Threatening behaviour:

101.1 suspension from all football activity for a period of between 56 days and 182 days. The recommended entry point, prior to considering any mitigating or aggravating factors, is 112 days.

101.2 a fine of up to £100, with a mandatory minimum fine of £50.

101.3 an order that the Participant completes an education programme before the time-based suspension is served.

10. With regards to above, and on this occasion, the Commission concluded it was appropriate to sanction Mr. Kurtis Sharkey to 98 day suspension from all football activities; together with a £75 fine and 7 penalty points. The Commission was minded to consider a small deduction from the recommended sanction of 112 days in light of Mr. Kurtis Sharkey's early concession, good record and accepted pressing personal circumstances. Mr. Kurtis Sharkey is also to attend an online education programme before the time-based suspension is served.
11. This decision is subject to the right of appeal in accordance with the relevant regulations within The FA Handbook.

Stacy Newnham-Payne, Chairman

12 July 2022