

# **Football Association Disciplinary Commission**

## **The Football Association on behalf of Surrey FA**

**V**

### **Alfie Carney – Case ID: 11023446 M**

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#### **WRITTEN REASONS**

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1. This is a hearing summary and includes written reasons for the decision of the disciplinary commission (the commission) which sat alone on Friday 2nd December 2022.
2. The commission was a non-personal hearing chaired by Bill Stoneham (National Serious Case Panel).
3. The following is a written record of the main points considered by the commission. It is a summary of the main evidence presented and is not intended to refer to all the points made in the evidence presented. The absence in these reasons of any particular point, or piece of evidence, should not imply that the commission did not consider any such point or evidence. For the avoidance of doubt, the commission carefully considered all the evidence that was submitted.
4. The charge in question arose following a fixture between AFC Ewell Sunday (the club) v The Walls First FC (the opposition) in the Surrey Premier County Cup, Early Round, played on Sunday 6<sup>th</sup> November 2022.
5. Surrey FA issued a charge letter dated 24<sup>th</sup> November 2022, followed by a renotification dated 1<sup>st</sup> December. The second letter clarifies the aggravated language allegedly used by Alfie Carney (the player). It states that: Alfie Carney is hereby charged with a breach of FA Rule E3 Improper Conduct (including foul and abusive language). He is further charged under FA Rule E3.2 – Improper conduct aggravated by a person's ethnic origin, colour, race, nationality, faith, gender, gender reassignment, sexual orientation, or disability. It is alleged that Alfie Carney 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 nationality. This refers to the comment(s): 'Oi Chinkie give me the ball', or similar.

6. Surrey FA provided the following evidence in relation to the charge:
  - I. An undated report from Paul Dowell (the referee) stating that he dismissed the player in the 18<sup>th</sup> minute for saying to an opponent: 'Oi Chinkie give me the ball';
  - II. an emailed response to Surrey FA dated 14<sup>th</sup> November 2022 from Will Chipperton (club secretary) and containing a response from the player. In this correspondence, both the club and the player accept what was said and support the actions taken by the referee. As Alfie Carney had accepted the charges raised against him, the commission was solely concerned with determining the sanctions to be imposed;
  - III. on 27<sup>th</sup> November 2022, Surrey FA received written notification from the club stating that the charge is accepted and that they wished it to be dealt with by correspondence.
7. As the player had accepted the charges raised against him, the commission was solely concerned with determining the sanctions to be imposed. For clarity, it should be noted that having examined all the evidence, the commission was content to accept the plea offered.
8. Alfie Carney's disciplinary record over the last five years was then considered. Prior to this game he had only received eight cautions and had been sent off once. No similar offences had been recorded.
9. A number of points can be made in mitigation. These include:
  - I. The player's hitherto acceptable disciplinary record;
  - II. the player's willingness to accept the charges;
  - III. the apology and level of remorse expressed in the player's statement dated 14<sup>th</sup> November 2022;
  - IV. though absolutely no justification can be offered for the insulting comment made by the player, the commission accepts that this outburst was out of character.
10. Some aggravating factors were identified. These included:
  - I. The offensive nature of the comments made;
  - II. The upset caused to the player's opponent.
11. For a proven charge of this nature, FA Regulations state that the sanctioning range is 6-12 matches. Six matches is the standard minimum, with a fine at the discretion of the commission. A commission may impose a suspension in excess of 12 matches where there are significant aggravating factors. A

participant found to have committed an aggravated breach will be subject to an education programme.

12. Having considered all the facts in this case, the decision of the commission is that **Alfie Carney** is:

- I. **Suspended from all football activity for six matches;**
- II. **fined a sum of £50-00;**
- III. **ordered to complete an on-line education programme before the match-based suspension is served. Failure to comply with this order will result in a sine-die suspension being issued against Alfie Carney until he has fulfilled this order in its entirety;**
- IV. **seven disciplinary penalty points shall be recorded against the club.**
- V. **these sanctions are in addition to any other sanctions already imposed by either the player's club or Surrey FA;**

13. In arriving at these sanctions, the commission gave credit to the player's disciplinary record. The commission also acknowledged that though the uttered comment is indefensible, the player has shown remorse and offered an apology. His acceptance of the charge was also taken into consideration.

14. There is a right of appeal against this decision in accordance with the relevant provisions set out in the Rules and Regulation of the Football Association.

Bill Stoneham

Chairperson

2 December 2022.

## **AFC Ewell – 11023458 M**

As part of this consolidated case, AFC Ewell (the club) was charged with a breach of FA Rule E20 – Failed to ensure directors, players, officials, employees, servants, representatives conducted themselves in an orderly fashion whilst attending the match. It is alleged that AFC Ewell failed to ensure that directors, players, officials, employees, servants, representatives conducted themselves in an orderly fashion and refrained from improper, offensive, violent, threatening, abusive, indecent, insulting, or provocative words and/or behaviour contrary to FA Rule E20.1. This refers to the reported abandonment of the match. The referee confirms that several players from AFC Ewell walked off the pitch and refused to play the remainder of the match causing the abandonment of the fixture due to not having enough players on the field of play.

The club accepted the charge and asked for it to be dealt with by correspondence.

Having considered all the facts in this case, the commission accepted the club's response. The commission noted that the club had struggled to field a full team on the day of the match and that their fortunes became more challenging because of player ill-discipline and injuries. However, no convincing case could be offered to explain why, with just five minutes of the game remaining, some of the players left the field of play causing the referee to abandon the game.

The club's disciplinary record over the previous five years was considered. There had been no similar offences. AFC Ewell is:

- I. **fined a sum of £120-00;**
- II. **these sanctions are in addition to any other sanctions arising from this fixture that may have already been imposed by Surrey FA.**

There is a right of appeal against this decision in accordance with the relevant provisions set out in the Rules and Regulation of the Football Association.

Bill Stoneham

Chairperson

2<sup>nd</sup> December 2022