

**IN THE MATTER OF THE FOOTBALL ASSOCIATION  
REGULATORY COMMISSION HEARING**

**COMMISSION MEMBERS:**

**ELLIOTT KENTON (CHAIR)  
KRISTIAN JONES  
FRANCIS DUKU**

**THE FOOTBALL ASSOCIATION**

**and**

**KIAN HARRATT**

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**DECISION AND WRITTEN REASONS OF THE REGULATORY COMMISSION**

**24 JANUARY 2024**

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**Overview**

1. These are the written reasons for the decision and sanction in relation to a Regulatory Commission hearing that took place on 24 January 2024 (the "**Hearing**") concerning Kian Harratt ("**KH**").
2. The Regulatory Commission comprised of Elliott Kenton who acted as Chair, Kristian Jones and Francis Duku (the "**Commission**").

**The Charge**

3. KH has been charged by the Football Association (hereafter the "**FA**") for breaching the following FA Rules:
  - (a) FA Rule E8.1  
  
(the "**Charge**").
4. The full excerpt of this Rule is reproduced below:

*E8.1 - A Participant shall not bet, either directly or indirectly, or instruct, permit, cause or enable any person to bet on –*

*E8.1.1 the result, progress, conduct or any other aspect of, or occurrence in or in connection with a football match or competition; or*

*E8.1.2 any other matter concerning or related to football anywhere in the world, including, for example and without limitation, the transfer of players, employment of managers, team selection or disciplinary matters.*


5. The particulars of the Charge are that KH placed 484 bets on football matches between 30 June 2020 and 3 June 2023. Specifically, the charge sheet reads:
  - 5.1 For the 2019/20 season, KH placed 3 bets on football matches, in breach of FA Rule E8(1)(a)(i), between 30 June 2020 and 19 July 2020 whilst KH was a participant at Huddersfield Town FC. 1 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition. 2 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which KH's club and/or KH were participating.
  - 5.2 For the 2020/21 season, KH placed 370 bets on football matches, in breach of FA Rule E8.1, between 05 August 2020 and 06 July 2021 whilst KH was a participant at Huddersfield Town FC and Guiseley AFC. 242 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition. 128 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which KH's club and/or KH were participating.
  - 5.3 For the 2021/22 season, KH placed 57 bets on football matches, in breach of FA Rule E8.1, between 01 August 2021 and 05 May 2022 whilst KH was a participant at Huddersfield Town FC and Port Vale FC. 28 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition. 29 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which your club and/or you were participating.
  - 5.4 For the 2022/23 season, KH placed 54 bets on football matches, in breach of FA Rule E8.1, between 01 February 2023 and 03 June 2023 whilst KH was a participant at Huddersfield Town FC. 30 of these bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition. 24 of the bets were placed on the result and/or progress and/or conduct and/or any other aspect of a football match or competition in which KH's club and/or KH were participating.
6. KH has accepted the Charge and elected for a personal hearing, whereby a Regulatory Commission were convened on 24 January 2024 to consider sanction based on the submissions made and the documentary evidence before them.

## **The Evidence**

7. This matter relates to a period of betting undertaken by KH between 30 June 2020 and 3 June 2023.
8. The relevant factual background herein is a summary of the principal submissions provided to the Commission. It does not purport to contain reference to all the points made, or to all the statements and information provided, however the absence in these reasons of any particular point, or submission, should not imply that the Commission did not take such point, or submission, into consideration when it determined the matter. For the avoidance of doubt, the Commission has carefully considered all the evidence and materials furnished in this case.

*The FA's case*

9. The FA's case is summarised in the witness statement of Tom Astley dated 20 November 2023 and is further set out in the written submissions on sanction dated 23 January 2024.
10. Mr Astley sets out the following in his witness statement:
- 10.1 *Huddersfield Town FC ("HTFC") player KH was identified by the betting operator [REDACTED] as having potentially breached the FA's betting Rules and they shared KH's account activity with The FA.*
- 10.2 *After confirming the details of where KH had been playing, The FA contacted all UK-licensed betting operators and asked them to share any accounts in the name of KH that showed breaches of The FA's Betting Rules.*
- 10.3 *As a result of the above enquiry, there were seven additional accounts supplied by [REDACTED] [REDACTED] and [REDACTED]. These accounts were shared directly with The FA by the betting operators.*
- 10.4 *Therefore, The FA had been provided with a total of 8 betting accounts for KH, showing a total of 484 football related bets made by KH.*
- 10.5 *Each season, The FA delivers a Club Visit programme, where members of the Integrity Team deliver presentations to squads of Premier League and Football League teams. These sessions cover a variety of integrity related topics, which players need to be aware of in that season. Whilst the content of the sessions vary each season, a reminder of the betting rules is present every year. I have identified one Club Visit presentation delivered at a time when KH was present at Bradford FC, when on loan from HTFC. The club visit took place on 18 July 2022 and KH was present in the room.*
- 10.6 *Due to the fact that there were apparent breaches of The FA Rules, myself and Integrity Investigator Anna Benjamin interviewed KH on 15 November 2023. During interview, KH accepted placing all football bets through the accounts in question. KH stated he was aware of The FA's betting Rules and knew he shouldn't be betting on football and was able to recall getting some education on the Rules as either a first or second year scholar at HTFC. Additionally, KH accepted being present in the Bradford City club visit on 18 July 2022.*
- 10.7 *KH was asked numerous times about why these bets were placed given he understood the Rules, and responses included that he "...didn't realise how serious it was...I didn't realise it'd come to this...I didn't think you'd ever get done for it..."*
- 10.8 [REDACTED]
- 10.9 *There were 484 bets from 4 separate seasons. The overall amount staked across the 4 seasons is £8,105.01. The returns on this were £4,448.25. This led to a net total loss of £3,656.76.*
- 10.10 *On analysis of the betting accounts, in total there are 183 bets which include games in competitions that KH's clubs participated in during the relevant seasons. These include bets on HTFC, Port Vale FC, Bradford City FC and Guiseley AFC, including bets against HTFC. Additionally, these also include 1 spot bet not which does not involve KH.*

11. The FA state in their written submissions on sanction:
- 11.1 There are a number of aggravating factors present in this case, including that KH has confirmed that he was aware of the betting Rules and therefore knowingly breached the Rules when placing the bets. He attended an FA education course on 18 July 2022 whilst on loan with Bradford City FC in which the Rules were covered. Notwithstanding that Club visit, KH went onto place a further 54 bets some 6 ½ months later. KH placed bets over a 3 year period, being aware of the FA's Betting Rules and the number of bets placed is not insignificant and the total amount staked is high at £8,105.01.
- 11.2 The FA also submit that there are a number of mitigating factors including that KH admitted to all charges and at the time of placing the bets, relatively inexperienced. However, the FA state that he was still aware of the Betting Rules when he placed the relevant bets. The FA state that the fact that KH made an overall loss across all the bets he placed is a further mitigating factor.
- 11.3 
- 11.4 In relation to sanction, the FA submit that given the presence of bets against KH's own club, the starting point for sanction should be that of a 6-month suspension. The FA further submits that a financial penalty commensurate to the seriousness of the breaches should also be imposed. The FA submits that all bets placed are aggravated by KH's knowledge of the Rules but also the fact that he continued to place bets even after attending the FA Club visit. The FA do not consider that KH has presented sufficiently clear and compelling reasons to suspend the sanction.
12. At the Hearing, Ms Turner made a number of submissions to the Commission, which we reproduce in summary below:
- 12.1 There are a number of bets placed by KH across the majority of the categories referred to in the Sanction Guidelines. The most significant involve bets that KH placed for his team to lose, which are 9 in total. Although the most serious of bets placed, the FA accepted that this can be mitigated in that KH was not involved in the first team. However, KH did play for the first team in a FA Cup Fixture for Huddersfield Town on 7 January and this was one month before he went on to a particular bet against Huddersfield. Therefore, it cannot be accepted that there is no proximate relationship between KH and the first team which he placed the bets. Further, KH was aware of the betting rules having undertaken an education session on 18 July 2022.
- 12.2 Ms Turner submitted that the sanction starting point is a suspension of 6 months and a fine based on KH's betting activity. She then took the Commission through the various factors that can aggravate or mitigate the entry point.
- 12.3 In relation to the perception of impact on betting activities to the fixture and integrity of the game, the FA consider that KH's betting activity did impact on the integrity of the fixture. This is because KH placed bets on his own club to lose, and for the bets he placed to win, some of those bets for Port Vale FC were when he was involved in each match as a substitute.
- 12.4 In relation to the bets themselves, the FA state that 484 bets are not an insignificant number although the FA accept that the amount staked was relatively low. However, the FA's position is that KH's betting was conducted despite him being aware of the FA Betting Rules. Although there was some abstinence of betting following receiving a presentation on 18 July 2022, betting resumed after 6 ½ months.

- 12.5 The Commission also understood at the Hearing that KH had a clean disciplinary history. The FA consider that this could be considered a further mitigating factor that the Commission may wish to apply, along with KH's cooperation with the FA's investigation.
- 12.6 The FA accepted that the Commission may wish to take into account personal circumstances of KH in this case as a mitigating factor. [REDACTED]
- 12.7 Ms Turner sought to address the written submissions made on the part of KH's representative that it would be appropriate to suspend part of the sanction. Ms Turner took the Commission through the regulations contained in the FA Handbook 2023/24 (found at page 177) that it is for the Commission first to determine the appropriate penalty and then if there were *clear and compelling reasons* to suspend the whole or part of the sanction, the Commission have the power to do so. However, the FA submitted that it would be lenient of the Commission to suspend this sanction and there was no clear or compelling reason to do so.
- 12.8 Ms Turner invited the Commission to consider a financial penalty, by reference to the amount staked over the years and / or KH's income from football.
- 12.9 Ms Turner finally invited the Commission to make an order for the costs of the Commission to be borne by KH.

#### *KH's Case*

13. KH has been assisted by his legal team with presentation of his case. His solicitors have served written submissions and a number of witness statements to support or otherwise mitigate KH's case. Some of this material contains sensitive and personal information which will not be repeated within these Written Reasons.
14. KH's written submissions can be summarised as follows:
- 14.1 KH is currently 21 years old. He was 18 years old when he placed the first bet to which the Charge relates and 20 years old when he placed the last bet which the Charge relates. KH is a professional footballer registered with Huddersfield Town FC. KH made his first-team debut on 7.12.2019, and since then has had spells on loan or back with Huddersfield Town FC's under 23s and first-team squad.
- 14.2 [REDACTED]
- 14.3 KH feels that the ubiquity of gambling sponsorship in football adds to the normality of gambling, and particularly following a specific gambling sponsorship campaign involving Huddersfield Town FC in June 2019.
- 14.4 KH turned 18 in June 2020 during the COVID-19 pandemic. KH started gambling around this time, initially on horseracing and then also developing into football once it resumed following COVID-19 restrictions.
- 14.5 KH attended training and education sessions which included sections on anti-betting rules, and he knew that he should not bet on football. [REDACTED]

14.6 Around 76% of KH's bets were placed during the 2020/21 season, a period when KH felt sidelined from Huddersfield Town FC and was sent out on loan to Guiseley AFC. KH feels that there is a connection between his footballing success and appearances and his tendency to gamble. The more KH plays football the less he gambles; the less KH plays football the more he gambles.

14.7

[REDACTED]

14.8 In relation to betting activity:

14.8.1 The vast majority of KH's bets (c.92%) carry the guideline sanction of a warning and / or a fine.

14.8.2 In respect of the 28 bets placed on KH's own team to win, the vast majority were placed when KH was not playing or not involved in any of the matches to which these bets relate. Therefore, there is little to no impact on the integrity of those matches to which the bets relate.

14.8.3 In respect of the 9 bets placed on KH's own team to lose, KH was playing for Huddersfield Town FC, albeit he was playing in the under 23s squad with the club keeping the first team and the youth team separate. As KH did not play and / or was not involved in any of the matches to which the bets relate, there is little or no impact on the integrity of those matches to which these nine bets relate. The value of the nine bets were small.

14.9 In relation to sanction:

14.9.1 KH has admitted the Charge / his betting offences at the earliest opportunity at the interview. KH has been candid and cooperative throughout the entirety of this process.

14.9.2 The Commission should bear in mind [REDACTED], and the ubiquity of gambling in football, which desensitised gambling for KH and made it feel normal. KH's circumstances understandably, albeit wrongly, made KH feel that what he was doing was not that serious.

14.9.3 KH placed his bets while he was aged between 18 and 20 years old. KH's young age, and his naivety that came with the same, should be taken into consideration. Respectfully, the Regulatory Commission is not dealing with a Participant that has been around the professional game for a long time and who at the relevant time was at an age and in a position where they should have known better.

14.9.4 KH is clearly apologetic and remorseful, is disappointed in himself, knows he has acted stupidly, and is scared about the repercussions of his actions

14.9.5 KH is of good character, as highlighted in the character evidence provided in his support from well-known names in professional football.

14.9.6 KH otherwise has a good disciplinary record.

14.9.7

[REDACTED]

14.10 The Commission are invited to sanction KH to a fine of which is to be determined upon consideration of KH's salary and if the Commission is to be guided by any figure from the bets

covered by the Charge, the Commission is invited to impose a fine of no more than KH's total return on those bets.

- 14.11 The Commission are invited to impose a three-month suspension, which the Regulatory Commission may consider suspending for such time as it considers appropriate on the condition that there are no further breaches of Rule E8.
15. KH has provided a witness statement in these proceedings, which the Commission quotes selectively:
- 15.1 *I joined Huddersfield Town FC's Academy in July 2018 when I was 17 years old, after a short trial with the club. I had just been released by Barnsley FC, where I had progressed through the academy system, since joining as a 14-year-old.*
- 15.2 *In the days that followed my 18<sup>th</sup> birthday, I opened a gambling account in my name and began to place bets on horseracing.*
- 15.3 [REDACTED] *While, initially, I gambled on horseracing, when football resumed shortly after, I also began to place bets on football. [REDACTED] the prevalence of betting sponsorship throughout the sport, had shown me that gambling and football were closely linked.*
- 15.4 *As stated in my interview with the FA, I readily accept that I received training and education sessions which included sections on gambling as an academy player and I was aware that the rules say that footballers cannot bet on football. [REDACTED] unfortunately, as my betting history included in the FA Charge Letter shows, once I started to place bets on football, I found myself unable to stop, despite numerous attempts to do so.*
- 15.5 *I can now see that the number of bets that I placed directly corresponds with the amount of time that I spent on the pitch. I found myself continually trying to replicate the feeling of playing regular first team football and when such opportunities were not forthcoming, my gambling activity increased in order to get an adrenaline rush or the same 'buzz' I got from playing.*
- 15.6 *The fluctuations in the competitions on which bets were placed and the stakes used, coupled with the duplication of some selections across multiple bets and the fact that bets were placed across the week, rather than solely on the day that matches were due to take place demonstrate that the bets I placed on football were not the result of any sophisticated or calculated method. [REDACTED]*
- 15.7 *I also made no attempt to hide or conceal the bets that I placed on football. The betting accounts I used were opened in my own name. These bets were placed on a whim without any thought or consideration.*
- 15.8 *I am also cognisant of the fact that some of the bets that I have placed are more problematic than others, in particular those involving my own team. While the vast majority of the bets I have placed on football do not involve my own team, I recognise the issues that placing bets involving my own team can cause.*

- 15.9 *Of the 44 bets of this nature that I placed, 36 involved Huddersfield. I was not in the matchday squad for any of the fixtures involving Huddersfield that I bet on, as I was either on loan or training with the reserves at that time. As I explained earlier in this statement, when I was training with the reserves, I would have had minimal contact with the first team squad or coaching staff (if at all).*
- 15.10 *9 of the 36 bets involving Huddersfield included selections for Huddersfield to lose. While, as explained above, I was not in the squad for these fixtures, I accept that these are perhaps the most serious of the bets on football that I have placed. As is demonstrated by the spontaneous nature of the bets that I placed, I did not plan or give much thought to the teams that I included. Looking back, I find it difficult to explain how or why I would have selected certain teams or fixtures to bet on. In particular, I am unable to explain why I would have placed bets against my own team, when it is clear to me now that this is something that footballers should not do.*
- 15.11 *I understand that some of the bets I placed might be seen as more serious than others, but I can say with absolute certainty that I did not appreciate what I was doing was wrong and I deeply regret my actions.*
16. The Commission is also in receipt of a number of further witness statements from Jon Worthington (Academy Manager at Huddersfield Town FC), Andy Crosby (Manager of Port Vale FC) and Dean Whitehead (Assistant Manager of Watford). All provide very positive references for KH:
- 16.1 Mr Worthington describes KH as a *“hardworking and dedicated young player. His professionalism and commitment to improving has always been impressive and he has fully embraced and rose to the challenge of becoming a professional footballer at Huddersfield.”*
- 16.2 Mr Crosby states that KH *“was an immediately popular of the member of the squad and quickly endeared himself to fans, his teammates and the staff around the Club with his loveable rogue personality.”*
- 16.3 Mr Whitehead says that *“During his time on loan at Port Vale, Kian was a popular and well-liked member of the dressing room. He always trained at a high level and contributed to what was a very successful season for the club.”*
- 16.4 Mr Crosby and Mr Whitehead identify that KH may have been involved in gambling on horseracing during his time at Port Vale. However, on speaking to KH, he told them that it was under control and there was no issue.
17. Mr Horton on behalf of KH, addressed the Commission at the Hearing with the following:
- 17.1 Mr Horton acknowledged that the Sanction Guidelines specify for a suspension of 6 months to life and a fine to be imposed for bets of this nature. However, when applying a deduction of 1/3 for the acceptance of the Charge, this would take the Commission to 4 months.
- 17.2 Mr Horton called KH to give evidence at the Hearing. KH provided a short statement concerning his understanding of the FA Betting Rules, which he believed constituted match fixing and not his betting activities. KH told the Commission that a 6-month ban would have a massive impact on his career and not good for his playing time but acknowledged the seriousness of his actions. On questioning by Ms Turner, KH accepted that he knew about the FA's blanket ban for betting at his level of professional football.
- 17.3 Mr Horton sought to address the Commission on KH's knowledge of betting rules and his attendance at the education session. He took the Commission to the slides of the presentation



that were presented to KH and drew the Commission's attention to the slides not being very detailed and focussing on match fixing. This accorded with KH's understanding of the FA Betting Rules.

- 17.4 Mr Horton addressed the FA's submission in relation to the fixture on 7 January. Whilst it was accepted that KH played a first team fixture on this date and then placed a bet for Huddersfield to lose a month later, there was no correlation between the two. KH had no inside knowledge by virtue of playing for the first team during that fixture.
- 17.5 Mr Horton addressed the Commission at length on mitigation. For the bets placed by KH on his team to win, it was submitted that he is not compromising the integrity of the game or that particular fixture. The bets placed were small bets and all relate to accumulators, where KH was not an influencing factor.
- 17.6 For the bets that KH placed on his own team to lose, these were on fixtures where KH did not play. They were low value bets and comprised of accumulator bets and therefore the relevant sanction for these types of bets should be at the bottom range.
- 17.7 Mr Horton stated that although the number of bets were not insignificant, the vast majority fell within the first two columns of the FA Sanction Guidelines, being (i) Bets placed on any aspect of any football match anywhere in the world but not involving the Participant's Club competitions and (ii) Bets placed on participant's competition but not involving the club.
- 17.8 Mr Horton stated that the starting point should be a 4 or 5 month suspension before considering mitigation. A significant reduction of 1/3 should be applied to account for the early admission and KH's mitigation [REDACTED] should also be considered. His previous disciplinary history and his age should also be taken into account.
- 17.9 [REDACTED] In any event, KH has not placed a bet since June 2023.
- 17.10 Mr Horton submitted that after considering all the mitigation, the Commission should arrive at a suspension of 3 months. Mr Horton submitted that there were *clear and compelling* reasons to suspend the sanction by virtue of the mitigation put forward by KH.
- 17.11 In relation to costs, Mr Horton submitted that no order as to costs should be made as KH was likely to incur a substantial financial penalty.

### **Decision on Sanction**

18. As KH has accepted the Charge, the Commission considered the appropriate sanction to impose.
19. The parties have referred to the FA Sanction Guidelines for Betting cases, which are reproduced below:

	Bet placed on any aspect of any football match anywhere in the world, but not involving Participant's Club competitions.	Bet placed on Participant's competition but not involving his Club (including spot bet).	Bet placed on own team to win.	Bet placed on own team to lose.	Bet placed on particular occurrence(s) not involving the player who bet (spot bet).	Bet placed on particular occurrence(s) involving the player who bet (spot bet).
Financial Entry Point – Any fine to include, as a minimum, any financial gain made from the bet(s)	Warning / Fine	Fine	Fine	Fine	Fine	Fine
Sports sanction range	Suspension n/a	Suspension n/a where Participant has no connection with the Club bet on*	0-6 months to be determined by factors below	6 months - life to be determined by factors below	0 – 12 months	6 months - life
Factors to be considered in relation to any increase/decrease from entry point	<p>Factors to be considered when determining appropriate sanctions will include the following:</p> <ul style="list-style-type: none"> <li>• Overall perception of impact of bet(s) on fixture/game integrity;</li> <li>• Player played or did not play;</li> <li>• Number of Bets;</li> <li>• Size of Bets;</li> <li>• Fact and circumstances surrounding pattern of betting;</li> <li>• Actual stake and amount possible to win;</li> <li>• Personal Circumstances;</li> <li>• Previous record – (any previous breach of betting Rules will be considered as a highly aggravating factor);</li> <li>• Experience of the participant;</li> <li>• Assistance to the process and acceptance of the charge.</li> </ul>					

20. It will be seen that in many instances, the suggested sanction range is very wide and therefore the appropriate sanction is therefore left to the discretion of the Commission and will be dependent on the facts of the case.

21. This is addressed specifically in the Guidelines:

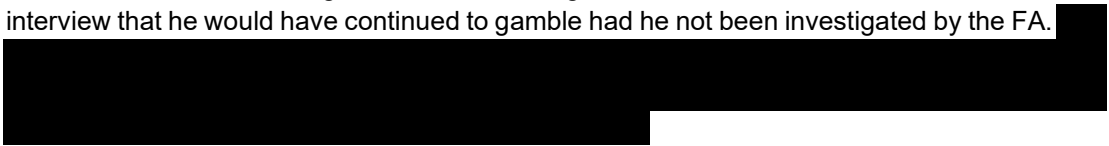

*The guidelines are not intended to override the discretion of Regulatory Commissions to impose such sanctions as they consider appropriate having regard to the particular facts and circumstances of a case. However, in the interests of consistency it is anticipated that the guidelines will be applied unless the applicable case has some particular characteristic(s) which justifies a greater or lesser sanction outside the guidelines.*

*The assessment of the seriousness of the offence will need to take account of the factors set out above. A key aspect is whether the offence creates the perception that the result or any other element of the match may have been affected by the bet, for example because the Participant has bet against himself or his club or on the contrivance of a particular occurrence within the match. Such conduct will be a serious aggravating factor in all cases. A further serious aggravating factor will be where the Participant played or was involved in the match on which the bet was made.*

22. However, the Commission noted that for KH's offending, the starting point was a suspension from 6 months and the maximum sanction would be a suspension for life. A number of factors as referenced above would be determinative on applying an upward / downward adjustment to the range.

23. The Commission considered that the appropriate starting point would be a suspension of 6 months. KH's betting included where he had bet on his own team to win which carries up to 6 month suspension and for his own team to lose which carries a starting point of at least a 6 month suspension. The Commission considered that the betting activity was serious, with a large number of bets placed which could impact on the integrity of the game particularly the bets placed on KH's team to lose. Although the Commission accepted that bets of this nature

were small compared to the overall number of bets, this did not detract from the starting point of 6 months, when a larger number of bets by KH on his own team to lose would have increased the starting point significantly.

24. The Commission then considered the aggravating features of this case by reference to the factors listed in the Sanction Guidelines. The bets placed were wide and fell within five examples (or columns as the parties referred to) referenced in the Sanction Guidelines.
25. The Commission considered that KH had full knowledge that betting activities were prohibited at a professional level and KH bet irrespective of this. The Commission did not accept KH's evidence that he perceived prohibited betting to be solely relating to match fixing. The slides used as part of the FA's education programme reviewed by the Commission were unambiguous and these were the same slides that KH would have seen during the course that he attended.
26. It follows that KH had disregard to the FA Betting Rules. The Commission considered from his interview that he would have continued to gamble had he not been investigated by the FA. 
27. In light of the aggravating factors, the Commission applied an upward adjustment to the sanction to an eight (8) month suspension.
28. The Commission then considered the mitigation that could apply a downward adjustment to the eight (8) month suspension. The Commission considered that there were numerous mitigating factors in this case.
29. Firstly, KH started gambling at the age of 18, at the earliest possible age permissible by law, which is when the first bet subject to these proceedings was placed. His betting activities continued until he was 20 years old. He is still a young man at the infancy of his professional career and the Commission noted through his evidence that he was inexperienced and naïve. The Commission considered his age and inexperience whilst undertaking betting activities should be credited in mitigation.
30. 
31. Thirdly, KH has accepted the Charge at the earliest opportunity. He has a clean disciplinary record and the character references provided are supportive of his general good character both on and off-field. He has cooperated with the FA's investigation and has been remorseful in his written and oral evidence.
32. Therefore, taking into account the numerous mitigating factors, the Commission applied a downward adjustment to a four (4) month suspension.
33. The Commission were addressed as to whether all or part of the sanction should be suspended. The FA's position is that there are not clear and compelling reasons to do so, whereas KH's representatives consider that the mitigation presented provides clear and compelling reasons to suspend.

34. The Commission were of the view that in this particular case, there was not clear or compelling reasons to suspend the sanction in whole or part. The Commission consider that there must be something extraordinary present in the factual matrix to suspend the sanction and a clear and compelling reason to suspend is not produced by adding all of the mitigating factors together as suggested by KH's representative.
35. In relation to a fine, the Commission understood that KH may be penalised by his club for this misconduct and therefore applied a fine of £3,200 commensurate with his football income.
36. The Commission make no order as to costs in these proceedings.
37. There is a right to appeal this decision in accordance with the FA Appeal Regulations.

Elliott Kenton (Chair) on behalf of the FA Regulatory Commission  
24 January 2024