

**Football Association Regulatory Commission**  
**In the matter of a Claim of Excessive Punishment**  
**lodged by Chelsea FC on behalf of Nemanja Matic**

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**Reasons for Regulatory Commission Decision**  
**24 February 2015**

1. The Regulatory Commission members were Mr. Roger Burden (Chairman), Mr. Tom Finn and Mr Stuart Ripley.
2. Mr. Robert Marsh of the FA Judicial Department acted as Secretary to the Regulatory Commission.
3. The incident in question took place in the Barclays Premier League match Chelsea FC v Burnley FC on 24 February, 2015.
4. Mr Matic was dismissed from the field for Violent Conduct by the Match Referee, Mr. Martin Atkinson.
5. Chelsea FC made an application to The Football Association, in accordance with Para 6 of Section A of the Disciplinary Procedures in that the standard punishment was “clearly excessive” in the circumstances of Mr Matic’s dismissal. In doing so Chelsea FC are accepting the match referee was correct in determining the action of Mr Matic was violent conduct and that the decision to dismiss him was correct.
6. The Commission had the following evidence before it:
  - A report from Mr Atkinson, the Match Referee, in which he said that Mr Matic had reacted to a challenge by running quickly at his opponent and pushing his opponent in the upper body with two hands, forcefully and in a violent manner.
  - A video of the incident, submitted by Chelsea FC.

- A statement from Mr Matic in which he explained the pain and concern caused by the tackle. Mr Matic said that he had intended to speak to Mr Barnes but Mr Barnes walked away, to which Mr Matic reacted by pushing Mr Barnes below the shoulder.  
Mr Matic expressed his regret for the incident and accepted that he should not have reacted the way that he did.
- A written submission by Chelsea FC on behalf of Mr Matic including witness statements.

7. The submission had two main grounds:

Firstly, that Mr Matic's action was an understandable reaction to a tackle that had been made on him by an opponent, Mr Barnes.

To support this view, Chelsea FC submitted a large number of exhibits including a statement from their Team Doctor, press articles, quotes from commentators, journalists and others within the game. In the main, these exhibits condemned the tackle and supported Chelsea's first ground. One comment suggested that Mr Matic's reaction was justified. Chelsea's submission also included some press coverage of incidents in which players were not sent off.

Secondly, that, whilst Mr Matic did push Mr Barnes and Mr Barnes fell, the level of force was not necessarily one that was sufficient to induce the fall.

Chelsea noted that Mr Matic did not elbow, punch or kick his opponent and suggested that was something that the Commission should take into account, particularly when considering a punishment consistent with other offences.

Chelsea referred us to an incident that occurred on 28 January 2014 during a Bradford City v Preston North End game in which two players (one from each team) were sent off for pushing each other below chin level.

Chelsea told us that Preston appealed, citing wrongful dismissal and were successful. Bradford appealed against the severity of the three match suspension and were also successful, with the three match suspension being reduced to one match.

Chelsea's submission here was that, in the majority of "pushing" cases the player responsible receives no punishment at all or a yellow card and that this is particularly the case when the head or face area is not touched.

Chelsea went on to suggest that as contact in this case was not made with the head or face, the three match suspension should be reduced to the minimum of one match, in line with the general approach for "pushing" offences.

8. Having read the submissions, we looked at the video many times. It only showed one view of the incident in which Mr Matic pushed Mr Barnes. The video showed several views of the tackle by Mr Barnes on Mr Matic.
9. We could see that Mr Barnes' boot made contact with Mr Matic's leg and that Mr Matic might well have been injured. Fortunately, Mr Matic did not appear to be injured but, in any case, we did not consider that incident to be a matter for us.
10. Our concern was only with Mr Matic's actions. We all agreed that there could be no grounds for mitigation or a reduction in the suspension based on Chelsea's submissions that Mr Matic's actions were simply a reaction to the tackle. Players cannot be allowed to respond violently to these situations otherwise they are almost bound to escalate, as was the case here where players from both teams became involved. Tackles are entirely matters for referees to deal with as they see fit.
11. In this case, Mr Matic gave himself no time to see what action, if any, the Referee was going to take. We saw that the tackle forced Mr Matic to the ground but he recovered very quickly and immediately ran at Mr Barnes, again very quickly, and pushed Mr Barnes with both hands around the shoulder area.

12. The positioning of Mr Matic's hands meant that Mr Barnes was unlikely to be injured but he was caught off-guard and the push was clearly of sufficient force to cause Mr Barnes to fall.
13. We then considered Chelsea's submission regarding the push by Mr Matic and its place within the normal three game suspension for violent conduct.
14. We accepted that it fell short of those cases of violent conduct that involve elbows and punches, etc or are of such force that they are likely to cause injury.
15. However, we could not accept that it could be compared with any action in which no red card was shown or with the Bradford case in which the suspension was reduced to one game where, as we read Chelsea's submission, the dismissal was wrongful but Bradford chose not to appeal it.
16. In Mr Matic's case, Chelsea accepted that the dismissal was correct, meaning that should the Commission accept that 3 matches is clearly excessive, the suspension available to us was either one or two games.
17. We did not accept provocation, "natural reaction" or "frustration" as mitigating factors. Nor could we accept that the fact that Mr Barnes' tackle went unpunished meant it would be unfair to appropriately punish Mr Matic for his actions.
18. In considering whether the circumstances of the dismissal under review were truly exceptional such that the standard punishment would be clearly excessive we considered the following matters:
  - a) The applicable Law(s) of the Game and any relevant FIFA instructions and/or guidelines;
  - b) The nature of the dismissal offence, and in particular any intent, recklessness, negligence, or other state of mind of the Player;
  - c) The level of force used;

- d) Any injury to an opponent caused by the dismissal offence;
  - e) Any other impact on the game in which the dismissal occurred;
  - f) The prevalence of the type of offence in question in football generally;
  - g) The wider interests of football in applying consistent punishments for dismissal offences.
19. We concluded that, although Mr Matic's push on Mr Barnes was of sufficient force to cause Mr Barnes to fall, it was to the shoulders of Mr Barnes and was very unlikely to, and did not, cause injury.
20. Consequently, we felt that this case was an exceptional one and that a three match suspension would be clearly excessive.
21. In considering the appropriate punishment we had regard to the items outlined in paragraph 18.
22. In considering whether a one match or two match suspension was appropriate we considered the fact that Mr Matic ran some distance to violently push Mr Barnes. Also that the force used was of considerable force but was not a strike or a punch and that the use of lesser force may still be considered to be violent conduct.
23. Having considered all of the points we decided that a two match suspension would be appropriate in this case and that to impose only a one match suspension would be insufficient for this level of offending.

**Roger Burden (Chairman)**

**25 February 2015**