

**Football Association Regulatory Commission
In the Matter of
The Football Association
-v-
Nigel Pearson
Reasons for Regulatory Commission Decision
Friday 19th December 2014**

PARTIES

The Regulatory Commission members were Messrs. B. M. Jones, P. Barnes and F. Clark.

Mr. Nigel Pearson was present and represented by Mr. A. P. Walsh, HM Coroner for Manchester West.

Mr. D. Giovanelli represented the Football Association.

Mr. M. Ives, the Football Association's Head of Judicial Services acted as Secretary to the Commission.

INTRODUCTION

1. These are the written reasons for an FA Regulatory Commission hearing at Wembley Stadium on Friday 19th December 2014.

2. Mr. Nigel Pearson the Manager of Leicester City FC had been charged with Misconduct under FA Rule E3, it being alleged that in the Premier League fixture Leicester City FC v Liverpool FC on the 2nd December 2014 he used abusive and/or insulting language towards a spectator. The Football Association designated the case as a Non Standard Case due to the unusual nature of the incident and the potential incitement of the crowd.

3. Mr. Pearson, at the earliest opportunity admitted the Charge and requested the opportunity to attend a Commission for a Personal Hearing.

THE CHARGE

4. The Charge was as stated above and it was alleged, and confirmed by video evidence, that Mr. Pearson told a Leicester City FC supporter to "fuck off and die".

CONCLUSION

5. As stated earlier Mr. Pearson, at the earliest opportunity, admitted the charge brought against him. However, bluntly, bearing in mind the video evidence, he had little choice other than to make the admission.

6. The Commission were informed that Mr. Pearson had one previous misconduct charge (FA Rule E3- Improper Conduct) against him in season 2013/14 arising out of the Championship fixture Leicester City FC v Charlton FC and when he was given a 1 match touchline ban and fined the sum of £2,000.00.

MITIGATION

7. Very strong, forceful and persuasive mitigation was presented by Mr. Walsh on behalf of Mr. Pearson and Mr. Pearson personally addressed the Commission.

8. Mr. Pearson, without doubt, is embarrassed by his behaviour on the day and he accepts that he fell well below the usual high standard that he has set himself and his staff. It is understood that he has apologised to the owners of the Club. Further he did state to the press that if he had offended anyone then he regretted doing so.

9. Understandably he has not apologised to the person making the abusive comments towards himself, as clearly heard on the video, as he does not think that to be appropriate, and we agree with that view.

10. We were told that the person who made the abusive comments and swore at Mr. Pearson is well known to the Club and is a regular attendee at games. To call him a supporter or fan of the Club would be doing an injustice to the genuine, loyal, and decent fans of the Club.

11. Mr. Pearson had been sitting in the stand, as is his usual practice. He moved to the technical area in order to effect some substitutions and immediately became the subject of abuse from this one particular person in the crowd. That is clearly heard on the video and Mr. Pearson had no doubt the abuse was directed at himself. Apparently the person in question was being critical of the application of the Leicester City players and we were told that the same individual had been making vitriolic and abusive comments towards Mr. Pearson, his staff and players over several weeks.

12. We have to put on record that the Commission were extremely disappointed and indeed surprised to hear from Mr. Pearson that the Club has a non confrontational approach with regards to spectators and chose to do nothing in regards to this particular person. We totally disagree in this particular case, and feel that the Stewards should be instructed to deal with such matters accordingly and within their authority.

13. The incident in question appears to have been spread over some 6 seconds, according to the video, and the 4 words spoken by Mr. Pearson took about 1 second.

14. There is no doubt that the words spoken by Mr. Pearson were spontaneous and in the heat of what was described as a very emotive moment.

15. No matter, such language, in front of a varied crowd, no doubt including families and children, cannot be condoned and was aggravated by the final two words of "and die".

16. A Premiership Manager, indeed any Manager, has a responsibility to set an example and as stated above, Mr. Pearson knows and appreciates that he let himself and his colleagues down on this occasion.

17. Mr. Pearson provided a letter of support from Leicester City FC and a reference from Mr. Howard Wilkinson, the Chairman of the League Managers Association. Both of those documents indicated, and we accept, that Mr. Pearson's behaviour at the material time was completely out of character.

SANCTION

18. Having very carefully listened to and considered the helpful mitigation presented by Mr. Walsh and listened to Mr. Pearson and after hearing Mr. Pearson's previous good disciplinary record the Commission considered all aspects but in particular the early admission (no option); the apology to the Clubs owners; the apology to anyone who heard the comments; the lack of action by the Club stewards; the provocation from the person in the crowd; the aggravating words used by Mr. Pearson and the length of the altercation.

19. The Commission decided that the case warranted a sporting sanction and a fine but, after careful consideration decided that a stadium ban was not appropriate on this occasion.

20. If this offence had been committed on the field of play then the entry point would have been a 2 match ban plus an appropriate and proportional fine.

21. Having considered all aspects of this unusual case the Commission ordered that:-

- ☐ Mr. Pearson be warned as to his future conduct.
- ☐ Mr. Pearson be given a one match touchline ban.
- ☐ Mr. Pearson be fined the sum of £10,000 which falls well within the guidelines for fines and which the Commission considered to be proportional in the circumstances.

☐ The personal hearing fee to be retained but there be no further order as to costs.

The decision is subject to the appropriate Appeal Regulations.

Brian M. Jones (Chairman)

Peter Barnes.

Frank Clark

Wednesday 24th December 2014.