

IN THE MATTER OF A REGULATORY COMMISSION

BETWEEN

THE FOOTBALL ASSOCIATION

and

BIRMINGHAM CITY FC

and

PORTSMOUTH FC

WRITTEN REASONS OF THE REGULATORY COMMISSION

Regulatory Commission: Sally Davenport (Chair) – Independent Legal Panel
Member

Tony Agana – Independent Football Panel Member

Alison O’Dowd – Independent Football Panel Member

Secretary: Nathan Greenslade – Judicial Services Officer

Date: 20 May 2026

Venue: Held remotely via Microsoft Teams

Attending: Yvonne Kramo, Regulatory Advocate, The FA –
representing The FA

Spencer Turner, Barrister - representing Birmingham City FC

Grant Brokenshire, Chief Strategy & Business Operations Director, Birmingham City FC – observer

Zoe Jones, Club Secretary, Birmingham City FC – observer

Phil Hutchinson, solicitor, Mills & Reeve – observer

Harry Bambury, solicitor, Mills & Reeve - observer

Introduction

1. These are the Written Reasons of the Regulatory Commission (“the Commission”) that considered two charges (collectively “the Charges” and each a “Charge”) against Birmingham City FC (“Birmingham”) and Portsmouth FC (“Portsmouth”).
2. On 2 May 2026 the two clubs played a match (“the Match”) in the EFL Championship.

The Charges

3. By letters dated 7 May 2026 (“the Charge Letters”), The FA charged both clubs with misconduct amounting to a breach of FA Rule E20.1. It was alleged that around the 80th minute of the Match, Birmingham and Portsmouth each failed to ensure that their players did not behave in a way which was improper and/or provocative.
4. The FA designated both cases as Non-Standard because both clubs had previous proven breaches of FA Rule E20.1 in the preceding twelve months, as detailed below.
5. The FA informed Birmingham and Portsmouth that the Charges had been consolidated pursuant to Regulation 13 of the Disciplinary Regulations 2025/26 and would be determined together at a joint hearing.

6. Together with the Charge Letters, The FA sent Birmingham and Portsmouth an Extraordinary Incident Report from the Referee, John Brooks, and three video clips.

Birmingham's Response

7. On 12 May 2026 Birmingham submitted a Disciplinary Proceedings Reply Form to The FA. It accepted the Charge and asked for the opportunity to attend a personal hearing. It also submitted six witness statements, as detailed below, together with written submissions.

Portsmouth's Response

8. On 12 May 2026 Portsmouth submitted a Disciplinary Proceedings Reply Form to The FA. It accepted the Charge and asked that the case be dealt with at a non-personal hearing. It also provided a letter of the same date in response to the Charge, together with a still image of Birmingham players surrounding its player Adrian Segecic ("AS") and a statement from AS.

Relevant Rules

9. FA Rule E20 states:

"E20 Each Affiliated Association, Competition and Club shall be responsible for ensuring that its Directors, players, officials, employees, servants and representatives, attending any Match do not:

E20.1 behave in a way which is improper, offensive, violent, threatening, abusive, indecent, insulting or provocative;"

The Hearing

10. In advance of the hearing the Commission read the documents referred to in paragraphs 6 to 8 above and viewed the video footage provided to it.
11. Given that the Charges were accepted, the Commission treated them both as proven and reviewed the evidence and submissions purely in order to determine sanction, as set out below.
12. As only Birmingham had requested a personal hearing, the Commission dealt with the Charge against Birmingham first and then considered the Charge against Portsmouth on the papers and other evidence.
13. Before hearing oral submissions, the Commission was informed of Birmingham's disciplinary record for the current and previous five seasons. Similarly, before it discussed the sanction for Portsmouth, the Commission was informed of Portsmouth's disciplinary record for the same period.
14. The following paragraphs summarise the evidence and the written and oral submissions considered by the Commission. They do not purport to cover all the points made. However, the absence of a point or submission in these reasons should not imply that the Commission did not take that point or submission into account when determining the sanction.

Evidence and written submissions

The Referee's report

15. In his Extraordinary Incident Report dated 3 May 2026, the Referee stated that in the 80th minute of the Match, players from both teams had engaged in a mass confrontation after a Portsmouth player had tried to score a goal when the accepted

practice was to return the ball to Birmingham. (“the Incident”). He also noted that a Portsmouth supporter had made his way onto the pitch to contribute to the mass confrontation.

Birmingham’s statements

16. Birmingham provided statements from four players, its first team coach and its CEO, as detailed below. All of the statements described how the ball had been kicked out of play following an injury to a Birmingham player, with play restarting from a throw-in. Instead of allowing the ball to run back to the Birmingham goalkeeper, a Portsmouth player, AS, had taken a shot at goal. A mass confrontation had then followed.
17. Bright Osayi-Samuel (“BOS”), the Birmingham right back in the Match, stated that he had gone over to AS because he had wanted to ask him why he had done what he did. There had been a brief altercation. His teammate Phil Neumann (“PN”) had come over and separated the two of them in order to prevent matters from escalating. BOS had then been confronted by a number of Portsmouth players and a substitute. A number of his teammates had tried to defuse the situation, which had become more inflamed after members of the Portsmouth bench had entered the pitch. BOS accepted that he had behaved emotionally in response to what he termed deliberately unsportsmanlike behaviour, but expressed the view that the actions of his teammates had been aimed at ensuring that the Incident did not escalate further.
18. PN played as a central defender in the Match. In his statement he stated that he had been surprised and irritated by the fact that AS had tried to gain an advantage “*in such an unsportsmanlike manner*”. He said that he had approached AS after BOS and JB, who had both been closer to him. He could hear them both asking AS why he had acted as he did. He had tried to distance AS from BOS by pushing him away, after which he had been grabbed by a number of other Portsmouth players and substitutes. He could see a number of his teammates trying to help de-escalate things. He stated that in team

meetings at the club and in a meeting with referees they had been told to try to calm things down if there were confrontations.

19. Kai Wagner (“KW”) played at left back in the Match. In his statement he stated that the Incident had happened on the right side of the pitch, so he had not been particularly close to it. He had run over to try to defuse the situation by keeping others away while everyone calmed down. His only intention had been to act as a peacemaker. Ultimately his team had wanted to protect its players. He acknowledged that Portsmouth had “*likely wanted to do the same*”.
20. Tomoki Iwata (“TI”) played in the Match. He stated that he and his teammates had been unhappy that a player (AS) would act so disrespectfully. A number of his teammates had been closer to AS than him and had approached him. TI thought one of them may have briefly pushed AS away in order to de-escalate the situation. TI himself had wanted to try and calm down the players involved. He had been attempting to do that when someone had pushed him from behind. On turning round, he had realised that the person in question was a supporter. He was alarmed that a supporter had been able to enter the pitch and confused as to why he had been targeted by the supporter. A number of Portsmouth substitutes had also come onto the pitch, which had served to escalate the Incident.
21. Chris Davies (“CD”), the Birmingham first team coach, referred in his statement to other cases of unsporting behaviour in other matches. In terms of the Incident, he described how BOS and James Beadle (“JB”), the Birmingham goalkeeper, had reacted emotionally before other players had become involved. As the Incident had occurred by the corner flag, he had not seen what was happening clearly, but he recalled a number of Portsmouth substitutes becoming involved. CD stressed that it was very important to him as the coach that his players acted with discipline and respect, stating that in pre-season and throughout the season the club had spoken about the expected level of conduct and behaviour and the players had fully subscribed to

this. He was confident that the vast majority of the actions taken by the Birmingham players had been aimed at calming matters down and defusing the situation.

22. Jeremy Dale (“JD”), Birmingham’s Chief Executive Officer, did not attend the Match. His comments on the Incident were based on what he had seen on television. While stressing that he was not seeking to condone his players approaching opposition players in the manner that BOS had done, JD highlighted the fact that the Incident had been relatively short-lived and was very different to previous incidents for which Birmingham had received E20 charges. He stated that after those previous charges he had spoken to the coaching staff to stress that mass confrontations must not happen. It was his understanding that there had been a deliberate focus during training on ensuring that players reacted to incidents in the correct manner. The club would continue to ensure that its players were fully aware of the standards of behaviour expected of them.

Birmingham’s written submissions

23. In its written submissions, Birmingham began by apologising to The FA and the Commission. It then set out its submissions on mitigation under five headings:

Match relevance

The Match had been the final game of the season and there was a very strong incentive for Birmingham to secure the best possible result. The Match had been high intensity, with both teams trying to win. Had there not been such a commitment and desire to win from both teams, the Incident would likely not have occurred. The Match had not been characterised by repeated incidents of misconduct and the Incident was an isolated event, being “*the unfortunate outcome of unsportsmanlike conduct committed by [AS]*”.

Instigation of the Incident

Returning possession following a deliberate surrender of possession in order to permit an injured player to be treated is “*one of the most recognised and widely accepted gestures of sportsmanship in professional football*”. It is both expected and consistently observed. Birmingham accepted that three of its players, PN, BOS and JB, had acted improperly by approaching AS, but AS had been the instigator of the Incident. But for his actions, there would have been no mass confrontation. The Incident had been escalated by a number of Portsmouth players racing over to where the Birmingham players and AS had been positioned and by the involvement of Portsmouth substitutes, who had been involved in shoving and grabbing several Birmingham players. A Portsmouth supporter had also enflamed matters by entering the field of play and pushing TI.

Duration of the Incident

The Incident had lasted just over a minute and had defused relatively swiftly. It had consisted mainly of pushing, shoving and shouting, with no violent conduct. Only one player from each team had received a yellow card.

Cooperation and early admission

Birmingham had admitted the Charge at the earliest opportunity. It had taken the Charge very seriously and had taken the decision to instruct external lawyers to support with its response.

Level of sanction

While it was acknowledged that the applicable sanction range was £75,000 to £150,000, given Birmingham’s record, the Commission should impose a sanction below the entry point of £75,000 for several reasons:

- But for the actions of AS, the Incident would not have occurred.
- The Incident had been inflamed by the lack of appropriate security arrangements on the part of Portsmouth.
- As this was the final round of EFL matches, all games had been televised. It was likely that viewing figures for the Match would have been lower than for matches involving teams going for automatic promotion.
- The issue of mass confrontations continued to be recognised at Board level and the club was committed to putting safeguards in place to prevent future occurrences.
- The club had apologised for its misconduct and admitted the Charge at an early stage.

24. The submissions referred to a number of similarities with the case of *The FA v Birmingham City and Ipswich Town FC*, in which the Commission had placed significant weight on the fact that the mass confrontation would not have occurred but for the actions of an Ipswich player. The Commission was also invited to compare the Incident with a significantly more serious on-field confrontation in a match between Leeds United FC and Aston Villa FC in 2019.

Portsmouth's statement

25. In his statement AS stated that he recalled the Birmingham players going to engage with the ball and had thought the ball was back in play, so he had chased it down and taken a shot. Suddenly he had been surrounded by at least three or four Birmingham players who had been in his face and pushing and shoving him. He had been shocked and surprised. His teammates had run over to protect him as the Birmingham players had been very angry. He did not think he had done anything to warrant a caution, but had accepted it and continued with the Match. The Incident was over very quickly.

Portsmouth's written submissions

26. In its letter dated 12 May 2026, Portsmouth set out its mitigation under seven headings:

Birmingham's role in the Incident

The Incident had occurred because several Birmingham players had surrounded AS unnecessarily and started pushing and shoving him. Even if AS should not have played the ball when he did, this could not in any way justify the over-reaction of the Birmingham players. Some players from Portsmouth had run over to assist AS and regrettably more players from both sides had become involved. The majority of Portsmouth's players had been attempting to defuse the situation. The Incident had consisted of pushing and shoving and there had been no violent, threatening or abusive conduct. The Incident was therefore at the lower end of the scale of mass confrontations and had dissipated quickly.

Duration of the Incident

The footage showed that the Incident had lasted less than 40 seconds and play had resumed very quickly. There had been no further issues between the players.

Admission and apology

Portsmouth sincerely regretted that the Incident had occurred and wished to apologise to The FA and the Commission.

Education for players

After its previous E20 charge, the club had arranged an education session for its players which had been delivered by a referee coach from PGMO and an EFL referee. The session had been productive and the players had engaged with it. After the Incident, the

head coach and his staff had reminded the players of their responsibilities as representatives of the club. The club had arranged another education session with PGMO ahead of next season, which was booked for 21 July 2026.

The club's approach to compliance with FA Rule E20.1

The fact that the club took a serious approach to compliance with the Rules was evidenced by the fact that its bonus scheme, which applied to all first team players, provided for deduction of any fines incurred by the club for various breaches of the Rules, including breaches of Rule E20.1, from net payments due to the squad under the bonus scheme.

Level of sanction

The doubling of the entry point fine level (ie £50,000) was far too high a fine for the Incident, given that it would not have occurred but for the behaviour of several Birmingham players, was over quickly and did not involve any violent conduct or harm to players. The fine should be adjusted downwards from the entry point in light of the specific facts and the mitigation provided.

The FA's written submissions

27. After outlining the terms and effect of FA Rule E20, The FA summarised the Incident. It submitted that the video footage clearly showed a mass confrontation in which players from both clubs had acted in a physically confrontational manner towards each other. Primarily this had appeared to consist of grabbing and shoving within close proximity to the crowd.
28. The FA then proceeded to comment on the mitigation raised by the two teams. In terms of the mitigation advanced by Birmingham, it responded with the following points:

- The fact that there was an incentive for clubs to secure the best possible result in the final game of the season did not give clubs licence to contravene the Rules and could never be used to justify Participant misconduct.
- The fact that AS had attempted to score a goal in circumstances where the accepted practice was to return the ball to the opposition did not provide Birmingham with an excuse or justification for failing to ensure that its players did not act improperly or provocatively. Frustration, disappointment and disapproval of another's actions could be appropriately expressed without the need for group physical confrontation. Potential wrongdoing by another did not mean that Participants could determine their own course of justice or punishment; that was the role of the match officials. It would perhaps be more accurate to characterise the reaction of at least two Birmingham players to AS's action as the cause of the mass confrontation. Ultimately the reaction of the Birmingham players did cause an escalation of the Incident and fell below the expected standards of behaviour.
- While the behaviour of the Portsmouth spectator was to be deplored, the confrontation had already been underway before his incursion onto the field of play. The spectator's conduct contributed to the Incident but did not mitigate the behaviour of the Birmingham players.
- The Incident involved almost all the Birmingham players. It took almost a minute for the Match to restart and there were pockets of confrontation moving across the pitch. Due to the number of players involved, the Incident was not swiftly resolved.
- Birmingham's apology and reference to the implementation of safeguards to prevent future mass confrontations was noted, but JD had not outlined the practical steps that would be taken to ensure change within the first team. The measures implemented in the past had clearly not resulted in any significant change in behaviour.

- The club should be afforded appropriate credit for its timely admission.
29. In terms of the mitigation advanced by Portsmouth, The FA repeated its submissions regarding the duration of the Incident, player involvement, apology and admission of the Charge. It again noted that the relatively recent player education session had not prevented the players becoming involved in a further mass confrontation and questioned whether measures put in place to date, such as the fine policy, had done anything to deter players.
 30. In The FA's submission, although the decision of AS to play the ball did not justify the ensuing confrontation, the role of Portsmouth players and substitutes should not be minimised. Players becoming involved in order to defuse a situation did not mitigate the culpability of those involved. The absence of any cautions for Portsmouth players involved in the confrontation was not determinative of culpability.
 31. The FA referred the Commission to the sanction guidelines and highlighted the introduction of an entry point for the 2025-2026 season, indicating that it was intended to be an appropriate starting point. It referred to the fact that the entry point, and maximum fine, would double, treble and so on for each successive breach in a 12-month period. It referred to the fact that Birmingham had two previous proven Non-Standard breaches in the previous twelve months and Portsmouth had one such breach. It invited the Commission to consider the aggravating and mitigating features of the misconduct, submitting that the number of players involved from both sides, the proximity of the confrontation to supporters and the fact that the Match had been televised were all aggravating factors. The clubs' admission of the Charges was a mitigating factor, although the FA submitted that when considering the appropriate level of discount for the admission of the Charges, the Commission must consider whether it would be realistic to deny a mass confrontation charge where there was clear footage showing what had occurred.

Birmingham’s disciplinary record

32. Prior to hearing oral submissions, the Commission was informed of Birmingham’s offence history in respect of E20.1 charges for the current and previous five seasons:

| Date | Opponent | Competition | Case Type | Outcome / Sanction |
|-------------|---------------------|---|------------------|------------------------------------|
| 07.08.2021 | Sheffield United FC | EFL Championship | Non-standard | £5,000 fine (accepted) |
| 18.05.2024 | Bristol City (U18) | U18 Professional Development League – North | Non-standard | £1,500 fine (accepted) |
| 16.09.2024 | Wrexham FC | EFL League One | Standard | £2,500 fine (accepted) |
| 08.10.2024 | Shrewsbury Town FC | EFL Trophy | Non-standard | £7,500 fine (accepted) |
| 04.03.2025 | Bolton Wanderers FC | EFL League One | Non-standard | £12,500 fine (accepted) |
| 03.05.2025 | Cambridge United FC | EFL League One | Non-standard | £20,000 fine + warning (denied) |
| 08.08.2025 | Ipswich Town FC | EFL Championship | Non-standard | £100,000 fine + warning (accepted) |
| 18.10.2025 | Hull City FC | EFL Championship | Non-standard | £115,000 fine (accepted) |

The FA’s oral submissions

33. In her oral submissions Ms Kramo adopted The FA’s written submissions, highlighting in particular its submissions regarding the trigger for the mass confrontation and the fact that The FA did not accept that AS’s actions could justify the subsequent actions of the Birmingham players and afford the club mitigation. She sought to distinguish the decision in the Birmingham v Ipswich case on the basis that that case had involved reckless and dangerous behaviour, whereas AS’s behaviour at its highest was unsportsmanlike. She referred the Commission to the previous

authorities on the involvement of so-called peacemakers and the fact that their involvement could not amount to mitigation. She drew the Commission's attention to the fines in the two previous cases in the last 12 months and submitted that the Commission should impose a fine of more than £115,000 as anything below that would not provide any incentive for the club's players to amend their conduct.

Birmingham's oral submissions

34. Mr Turner likewise adopted Birmingham's written submissions. He stated that the club's apology was genuine and it agreed that the Incident was regrettable. The club's Chief Executive Officer and Secretary were attending the hearing because they recognised the seriousness of the situation, hence the involvement of external experts as well. With the agreement of the Commission, Mr Brokenshire apologised directly to it for the actions of Birmingham's players. He stated that the club recognised the seriousness of the matter and it was being addressed at Board level.
35. Mr Turner took the Commission through each of the points in his written submissions, referring the Commission to the video footage and the witness statements. He stressed again that Birmingham's position was that AS's shot at goal was the precipitating cause of the mass confrontation. He accepted that there was shared responsibility, but that could not eliminate the precipitating cause. He repeated his submissions on the absence of violent conduct, the fact that the referee had not imposed any further sanctions and the fact that the Incident was short-lived. The fact that the supporter entered the pitch was down to Portsmouth. He disagreed with The FA's submission that full credit should not be given for the admission, referring the Commission to the decision in the Birmingham v Ipswich case and the factors that the Commission said should be taken into account. He submitted that Birmingham had shown full and proper insight and contribution, quickly admitting the Charge and saving the need for The FA to investigate further. Mr Turner indicated that the club would be bringing in PGMO during pre-season training and there would be a focus on mass confrontations

and teaching players how to de-escalate such situations. The Code of Conduct would also be reviewed.

36. In terms of the level of sanction, Mr Turner submitted that £75,000 was not a minimum, it was an entry point. The Commission could adjust the fine upwards or downwards from there. The elevated entry point of £75,000 was itself a reflection of Birmingham's disciplinary record and its record should not therefore be treated as an aggravating factor, otherwise there would be double counting. The past 12 months were the most relevant, the further back from that one went, the less relevant the offences became.
37. The club accepted that the number of players involved and the proximity to supporters could be seen as aggravating factors but AS's unnecessary act, contrary to the spirit of the game, had inevitably prompted strong reactions. It was reasonable to assume that the Birmingham players closest to AS would approach him in that situation, it was an understandable reaction on their part. With the benefit of hindsight, their reaction might not have been the right course of action, but nonetheless mitigation should be afforded to Birmingham for the fact that its players did not instigate the Incident. Furthermore, the fact that there were players trying to diffuse the Incident should not be negatively interpreted. It was important for players to be taught to be peacemakers.
38. Mr Turner invited the Commission to take account of the actions of the spectator. The stewards should have been alive to the risk of spectators entering the pitch. TI had been pushed from behind. He might have reacted differently and this could have led to a much more serious situation.
39. In response to a question from the Commission, Ms Jones confirmed that following the mass confrontation in the game against Hull City on 18 October 2025, representatives from PGMO had come in and addressed the coaching staff and players on 23 October 2026. The points discussed had been followed up in subsequent

coaching sessions. There had been no further incidents for 37 games, so there had been a marked improvement. She pointed to the fact that Birmingham had had a high turnover of staff in the last two seasons. The manager was in his second season and the club was now run very differently. The players saw each other as family and would defend one another, but the intention was always to defuse the situation. She also indicated that the Board was considering amendments to the club's Code of Conduct to highlight how detrimental mass confrontations could be for the club and to feed any fines back to the players if deemed appropriate by the Board.

The Commission's Deliberations

40. The Commission began by discussing the Incident. It noted that there was little factual disagreement between the clubs as to what had occurred, the main debate focused on who had instigated the mass confrontation and whether players and substitutes were protagonists or peacemakers. Having viewed the video footage, the Commission agreed that the Incident was not at the most serious end of the spectrum of E20 charges. Its duration was relatively short and for the most part the actions of those involved had not gone beyond pushing and shoving. The Commission debated whether one team could be said to be more at fault than the other, considering in particular the submission from Birmingham that there would have been no mass confrontation but for the actions of AS. It rejected that submission. It acknowledged that the Birmingham players had been annoyed by what AS had done, but the Commission agreed with The FA that the proper course would have been to allow the referee to manage the situation, as ultimately he did by issuing a caution for Unsporting Behaviour. It took the view that the actions of AS undoubtedly heightened the tension in the Match, but the mass confrontation itself was started by the Birmingham players running over and confronting and pushing AS. It did not however consider that this meant that less blame should be attached to Portsmouth. Its players had rapidly become involved as well, leading to more players and substitutes from both teams joining in. The Commission noted that the players and substitutes had split into several groups, with clear pushing and shirt-pulling in each of

the groups. While the behaviour of those involved was not particularly aggressive, it was nonetheless confrontational.

41. Both teams had made submissions about the majority of their players acting as peacemakers. The Commission was not persuaded by either team's argument that this should be treated as mitigation. It was not always easy to identify the so-called peacemakers. Furthermore, the Commission concurred with the views expressed by previous Commissions that the involvement of multiple players rarely, if ever, calms a situation and should be discouraged. Taking all of the above factors into account, the Commission concluded that both clubs were equally to blame for the Incident.

42. The Commission considered that the number of players involved and the fact that the Incident occurred on the goal line, in very close proximity to the spectators, were clear aggravating factors. Confrontations close to the crowd clearly had the potential to become more serious. The Commission noted that there had been no charge raised in relation to spectator behaviour in this instance. Having viewed the footage it considered that the incursion of the spectator onto the pitch and his push on TI, while clearly unacceptable, had fortunately not materially impacted on the Incident and would not affect its decision on sanction in either case. Nevertheless, it served as a clear reminder of the dangers of players becoming involved in mass confrontations directly in front of the crowd.

43. The fact that the Match had been televised and was likely to have been watched widely, either in real time or after the event, was a further aggravating factor.

Birmingham Sanction

44. The Commission accepted that its starting point should be the entry point of £75,000 as set out in the Charge Letter, in light of its two previous proven charges in the past 12 months. It agreed with Birmingham that it must ignore those two offences when considering the level of sanction as they had already been taken into account by the

tripling of the entry point. It disagreed with The FA's submission that it should start from the fine of £115,000 imposed in the most recent case, given that the entry point in that instance was much higher due to four breaches in the previous twelve months. However, it did not follow that the Commission should ignore the club's earlier offence history entirely. It did not place any weight on the charge in August 2021, given its age, or the charge in May 2024 that involved the U18 team. However, the fact that Birmingham had had four proven E20 charges in the 2024-2025 season was a serious aggravating factor. The Commission was concerned that, notwithstanding the steps Birmingham had taken in respect of player education, there had been little improvement in what was an extremely poor disciplinary record. It noted that reference had been made to educating players on how to de-escalate confrontations. In the experience of the Commission's professional members and from observing similar conflicts, the Commission was of the view that the best option would be to stress to players that contentious situations should be left to the match officials to manage. This observation applied equally to Portsmouth.

45. Taking all of the aggravating factors identified above into account, the Commission agreed that there should be an uplift from the entry point to £120,000. It then considered mitigation. It agreed that credit should be given for Birmingham's apology to both The FA and the Commission. It also agreed that some credit should be afforded in recognition of the fact that the club was actively working with players, staff and outside agencies to address the problem of mass confrontations, albeit that it was concerned that there was, as yet, little concrete evidence of positive results. It decided to reduce the fine to £100,000 to take account of these mitigating factors. It then applied a further reduction for the early admission of the Charge. It did not accept Birmingham's submission that the discount should be one third in a case where the video footage clearly showed the mass confrontation and there was little basis on which the Charge could have been disputed. It took the view that on this occasion an additional discount of 15% should be applied for the admission.

46. The Commission was not invited to consider suspending the sanction and did not consider that there were any clear and compelling reasons to do so.

Portsmouth Sanction

47. As with Birmingham, the Commission accepted that its starting point should be the entry point of £50,000, as set out in the Charge Letter, in light of Portsmouth’s previous proven charge in the past 12 months. It ignored that charge when considering Portsmouth disciplinary record.

48. The Commission was informed of Portsmouth’s offence history in respect of E20.1 charges for the current and previous five seasons:

| Date | Opponent | Competition | Case Type | Outcome Sanction | / |
|-------------|---------------------|--------------------|------------------|-------------------------|----------|
| 23.08.2022 | Newport County FC | EFL Cup | Standard | £2,500 (accepted) | fine |
| 26.12.2023 | Bristol Rovers FC | EFL League One | Standard | £2,500 (accepted) | fine |
| 28.09.2024 | Sheffield United FC | EFL Championship | Non-standard | £6,000 (accepted) | fine |
| 25.01.2026 | Southampton FC | EFL Championship | Non-standard | £25,000 (accepted) | fine |

49. The Commission applied an uplift to the entry point to reflect the aggravating factors that it had identified in the same way as it did with Birmingham, with the only difference being that it considered Portsmouth’s prior disciplinary history to be less serious, given that the three previous proven charges related to three separate seasons, with the first dating back to the 2022-2023 season. It adjusted the percentage uplift to take account of this, arriving at a figure of £75,000. It then took the same approach with regard to mitigation, noting Portsmouth’s apology and the steps that it had taken in relation to education, albeit that, as with Birmingham, the credit was tempered by the

fact that those steps had apparently not been fully embraced. Finally, the Commission applied a further reduction of 15% to acknowledge the acceptance of the Charge.

50. Again, Portsmouth had not asked the Commission to consider suspending the sanction and it did not consider that there were any clear and compelling reasons to do so.

Conclusion

51. The Commission ordered Birmingham to pay a fine of £85,000.

52. The Commission ordered Portsmouth to pay a fine of £53,125.

53. The FA did not seek an order for costs against either party and the Commission made no order as to costs.

54. The decision of the Commission may be appealed in accordance with the appropriate Appeal Regulations.

Sally Davenport

Tony Agana

Alison O'Dowd

26 May 2026