

**Football Association Regulatory Commission (the 'Commission')**  
**in the matter of Media Comments made by Marco Silva ('MS'), Head Coach at**  
**Fulham FC ('FFC')**

**Regulatory Commission Decision**

1. These are the written reasons for a decision made by an Independent Regulatory Commission which sat on Monday 30<sup>th</sup> March 2026 via Microsoft Teams video conference.
2. The Commission members were Mr. Stuart Ripley (Chairman), Mr. Francis Benali and Mr. Bradley Pritchard, all three of whom are Independent Football Members of The FA Judicial Panel.
3. Mr. Paddy McCormack of The FA Judicial Services Department acted as Secretary to the Regulatory Commission.
4. The following is a summary of the principal submissions and evidence provided to the Commission. It does not purport to contain reference to all points made, 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 the members determined the matter. For the avoidance of doubt, the Commission has carefully considered all the evidence and materials furnished with regard to this case.

## **Relevant FA Rules, Regulations and Guidance**

5. FA Rule E3.1 states:

*“A Participant shall at all times act in the best interests of the game and shall not act in any manner which is improper or brings the game into disrepute or use any one, or a combination of, violent conduct, serious foul play, threatening, abusive, indecent or insulting words or behaviour.”*

6. Before the start of each season The FA issues guidance to Participants in respect to media comments through its ‘*Essential Information for Managers, Owners and Directors*’ document. The 2025/26 document has the following guidance for managers in relation to media comments:

*Managers should be aware that The FA sets standards in relation to public comments made by Participants.*

*[...] the following types of public comments by Managers, Players or Club Officials may lead to disciplinary charges:*

- ANY comment, whether positive or negative about an appointed Match Official (including VAR Official) made prior to the game. Please note that The FA may take disciplinary action even in circumstances where the Match Official is not named by the Player, or the Match Official(s) has not yet been appointed for the next game.*
- Implication of bias: any comment which implies or alleges bias on the part of a Match Official.*

- *Questioning integrity: any comment which questions the integrity of a Match Official.*

- *Personal/offensive: comments which are personally offensive, particularly in relation to Match Officials. This can also include repeated negative and/or inflammatory comments in respect of the Match Official's performance.*

[...]

- *Detriment to the Game: the concepts of "disrepute" and "best interests of the game" are inherently broad and cannot be precisely defined. Charges may be brought where comments cause, and/or may cause, damage to the wider interests of football and/or to the image of the Game.*

*ALL MEDIA COMMENTS AND POSTINGS ON SOCIAL MEDIA SITES SUCH AS TWITTER, FACEBOOK, TIKTOK, TWITCH, SNAPCHAT AND INSTAGRAM MAY BE SUBJECT TO THE FA'S DISCIPLINARY JURISDICTION.*

*DO NOT:*

[...]

- *Imply bias or attack the integrity of Match Officials (including the VAR Officials).*

- *Make any comment about an appointed match Official (including VAR Officials) before a match. Please note that The FA may take disciplinary action even in circumstances where the Match Official is not named by the Player, or the Match Official(s) has not yet been appointed for the next game.*

- *Be personally offensive about Match Officials.*

## **Background to the Charge**

7. On the 18<sup>th</sup> March 2026, MS was charged with Misconduct by The FA for a breach of FA Rule E3.1 for comments MS had made in a post-match media interview with the BBC, following the Premier League ('PL') fixture between FFC and West Ham United FC that took place on the 4<sup>th</sup> March 2026.

8. The Charge letter read:

*It is alleged that you acted in an improper manner during a media interview after the Match by making comments that imply bias on the part of a Match Official and/or question the integrity of a Match Official and/or were personally offensive towards a Match Official, contrary to FA Rule 3.1.*

*In particular, your comments included the following:*

*"The incidents the referee decisions they were at very low level in my opinion, not at level that one game like this one and decisive games in this moment of the season should be, should be and have the impact of VAR. Keep going the great season John Brooks with Fulham Football Club. He was on VAR and he was able to, to decide against the referee decision on the pitch is something unbelievable, OK. Keep going has been little bit a story of our, our season when John Brooks is involved in games with us. He was very unlucky again in a decision even was not on the pitch a decision that he took in, in the office.*

*[...]*

*Many many incidents that the game can really now in our direction. Even the penalty that after I repeat again John Brooks can decide against the, the field decision. Difficult, very difficult to understand like many mistakes from him this season against, in games against ourselves.*

[...]

*OK but incidents are part of the game and all the all the decisions they they were against us.”*

9. The FA stated that it intended to rely on the following evidence:
- a. Witness statement from an Investigator at The Football Association, dated 17 March 2026;*
  - b. Exhibit CE/01 – Video footage of your post-match interview;*
  - c. Exhibit CE/02 – Article from The Mirror dated 5 March 2026;*
  - d. Exhibit CE/03 – Article from BBC Sport dated 4 March 2026;*
  - e. Exhibit CE/04 - Request for observations letter – Marco Silva, dated 6 March 2026;*
  - f. Exhibit CE/05 - Essential Information for Managers, Owners and Directors 2025-26 - Media Comments Extract;*
  - g. Exhibit CE/06 – Response to observations letter – Marco Silva - dated 17 March 2026*
10. On the 23<sup>rd</sup> March 2026, MS replied to The FA’s Charge. He admitted the Charge and requested a paper hearing in order to determine an appropriate sanction. MS also provided details of his relevant remuneration.

**FFC/MS’s Submissions on Sanction**

11. FFC provided observations on behalf of MS that highlighted five areas of mitigation it felt ought to be taken into consideration by the Commission when considering the level of sanction to be imposed. The following is a summary of those factors:

- a. During the 2025/26 season FFC *“has been adversely affected by a number of contentious refereeing decisions.”* On two occasions the Club and MS have raised concerns about the general standard of refereeing and VAR interventions with the Professional Game Match Officials (‘PGMO’) and PL. During these discussions FFC and MS were assured that their concerns had been taken on board and that VAR interventions should only be made where the Referee had made a decision that was clearly and obviously wrong. The intervention by the VAR on this occasion was to the mind of FFC and MS another case of overreach and as such MS was understandably frustrated when speaking the words relevant to the Charge. MS ought to be afforded some latitude when not acting in a calm and articulate manner immediately after a match where such a contentious incident had occurred. The case of *The FA v Lampard* was cited where a Commission had accepted that it can be particularly difficult for a manager to discuss matters calmly at the end of a contentious match.
- b. The context in which MS’s comments were made ought to mitigate the sanction. MS’s comments, spoken in a second language, were relatively short in duration, made 19 minutes after the end of a frustrating match that FFC lost. He did not repeat the comments to other media outlets.

- c. When compared to certain media comments previously made by other Participants that resulted in The FA charging and sanctioning, MS's comments should be considered as sitting at the lower end of the spectrum.

To this end the following cases were cited:

- i. *The FA v Hassenhuttli*;
- ii. *The FA v Tuchel*;
- iii. *The FA v Cooper*; and
- iv. *The FA v Rodrigo Hernandez Cascante*.

- d. MS's good recent disciplinary record. MS had not been charged by The FA for any breach of FA Rules for more than two (2) years prior to this Charge.

- e. MS's co-operation with the process. MS had admitted the Charge at the earliest opportunity conveying his "*understanding and remorse*". As such, any financial sanction ought be reduced by a third.

12. FFC submitted that, given the above-mentioned mitigating factors, the sanction ought to be a, "*fine not exceeding £20,000, which should be suspended in full or in part for such period as the Regulatory Commission deems appropriate*".

### **The FA's Submissions on Sanction**

13. The FA, whilst accepting that MS was entitled to some credit against the sanction for his admittance of the Charge, submitted that MS had no realistic alternative but to

admit the Charge in the circumstances and as such any credit that was afforded should be *“tempered by the reality of the evidence against him”*.

14. The FA in its Response to Reply submitted that the only truly mitigating factors were:

- a. *MS’s expressions of apology, including his acknowledgement that the comments were improper;*
- b. *MS’s expressions of remorse as to the offence caused to JB; and*
- c. *MS’s cooperation with The FA’s investigation.*

15. In addition, The FA acknowledged that MS’s last relevant breach of FA Rule E3.1 had occurred following a fixture on 16<sup>th</sup> December 2023, over two years ago. Whilst not to its mind a mitigating factor The FA considered this a fact to which the Commission might have regard when determining whether or not any sporting sanction that may be imposed by the Commission ought to be activated immediately or suspended.

16. The FA invited the Commission to impose a sporting sanction (suspended until the conclusion of the 2026/27 season) and an immediate financial penalty, commensurate with MS’s declared football income.

17. The Commission was informed as to MS’s previous disciplinary record, covering the current season, prior to the incident in question, and the previous five full seasons. There were four (4) entries:

- a. E3 Misconduct Charge – Fulham FC v AFC Bournemouth, 23<sup>rd</sup> April 2022, EFL Championship – Accepted Standard Penalty of £2,000 fine;

- b. E3 Misconduct Charge – Manchester United FC v Fulham FC, 19<sup>th</sup> March 2023, FA Cup – Denied/Proven – 2 Match suspension and £20,000 fine;
- c. E3.1 Misconduct (Media Comments) – Manchester United FC 19<sup>th</sup> March 2023, FA Cup – Admitted - £20,000 fine
- d. E3.1 Misconduct Charge (Media Comments) – Newcastle United FC v Fulham FC – 16<sup>th</sup> December 2023, Premier League – Admitted - £80,000 fine.

18. The FA's submissions threw further light on the two previous occasions MS had been charged and sanctioned for media comments. The FA wrote:

*Specifically, MS has previously been sanctioned for breaches of FA Rule E3.1 arising from post-match media comments on the following occasions:*

*By way of Written Reasons dated 6 April 2023, MS was sanctioned in respect of comments he made in a post-match interview on 19 March 2023 following an FA Cup quarter final between Manchester United FC and FFC. In respect of this breach, MS admitted a Charge which alleged he had implied bias and/or questioned the integrity of a Match Official and/or brought the game into disrepute. Consequently, a £20,000 financial penalty was imposed on MS by a Regulatory Commission.*

*By way of Written Reasons dated 29 January 2024, MS was sanctioned in respect of comments he made in three separate post-match interviews on 16 December 2023 following a Premier League fixture between Newcastle*

*United FC and FFC. In view of the comments made across these three interviews, MS admitted a Charge that he had implied bias and/or questioned the integrity of a Match Official and/or made comments that were personally offensive towards Match Official(s) and/or brought the game into disrepute. Consequently, MS was sanctioned with an £80,000 financial penalty, formally warned as to his future conduct and ordered to pay the costs of the Regulatory Commission.*

*In noting MS's previous disciplinary history in relation to media comments, the Regulatory Commission made the following observations at [74] and [80] of its Written Reasons:*

*74. "Of course, should Marco Silva face further such misconduct proceedings in the future, the fact that there are now two such instances of misconduct on his record is likely to render their cumulative effect as a very significant or perhaps serious aggravating factor".*

*[...]*

*80. "The Commission notes that should Marco Silva appear before a Regulatory Commission in the future facing similar misconduct charges, with his documented history of such offending media comments, that a sporting sanction will inevitably become increasingly necessary and proportionate".*

*Against the above background, this latest Charge represents MS's third breach of FA Rule E3.1 in respect of media comments in four football seasons. It is also the third occasion that MS has sought to question the integrity of*

*Match Officials and/or imply bias...this should be regarded as a serious aggravating factor.*

### **The Decision of the Commission**

19. The Commission did not feel that MS's command of the English language had affected what he had intended to convey in the interview. It was clear to the Commission that MS wished to convey that the VAR was wrong to intervene, he did so due to a bias against FFC and that this bias was something that the VAR had displayed in prior matches.

20. The Commission noted that MS is a highly experienced manager who has been coaching and managing in England since 2017. He has done a significant number of post-match interviews during that time and knows, or ought to know, very well that, given the intense media scrutiny at his level of football, that anything he says, even if to just one media outlet, will very likely be widely reported upon and disseminated across other mainstream and social media outlets.

21. Equally, MS, given that he has previously been charged and sanctioned for transgressional media comments, would to the Commission's mind know very well, or should know, that specifically naming an official and implying bias against him is unacceptable behaviour and a breach of the FA Regulations.

22. The Commission did not agree with the submissions of FFC that the words spoken by MS fell at the lower end of the spectrum. On the contrary, the Commission felt that the

specific naming of the VAR and the clear inferences to bias on his part made this a personal verbal attack and one that could be said to sit at the higher end of comments made when compared to the various cases that had been cited to the Commission. The words spoken by MS quite clearly call into question the integrity of Mr. Brooks, not only in this fixture but also across other FFC fixtures that have involved Mr. Brooks during the 2025/26 season. The Commission also felt that there was an element of sarcasm in the comments.

***“Keep going the great season John Brooks with Fulham Football Club. He was on VAR and he was able to, to decide against the referee decision on the pitch is something unbelievable, OK. Keep going has been little bit a story of our, our season when John Brooks is involved in games with us.”***

23. To the mind of the Commission the insulting and personal nature of the comments, inferring bias and calling into question the integrity of the VAR, Mr. Brooks, across this and other fixtures, was a highly aggravating factor to be considered when contemplating the appropriate sanction to be imposed.

24. Equally, the Commission, even after having noted that MS had not had an E3 misconduct charge levied against him for over two years, felt that MS’s previous disciplinary record was an aggravating factor, particularly in light of the fact that MS had on two previous occasions been sanctioned for comments made to the media that had called in to question the integrity of the match officials.

25. The Commission noted the prescient words set out at para 80 of the decision made by the Regulatory Commission in *The FA v Marco Silva* 29 Jan 2024

***“The Commission notes that should Marco Silva appear before a Regulatory Commission in the future facing similar misconduct charges, with his documented history of such offending media comments, that a sporting sanction will inevitably become increasingly necessary and proportionate.”***

26. The Commission, whilst noting that FFC and MS have, in their opinion, had a number of contentious decisions go against them during the season, did not consider this to be mitigation but merely context indicating the mindset of MS during the interview.
27. The Commission agreed with The FA that any credit afforded to MS for his admittance of the Charge should be *“tempered by the reality of the evidence against him”*. It is one thing to admit a charge where a cogent defence is a possibility and another to admit a charge where the offending actions are on video, documented and cannot viably be disputed.
28. In respect to expressions of apology, acknowledgement that the comments were improper and expressions of remorse by MS, the Commission did not feel that these factors carried much weight as mitigation given that in its letter dated 23<sup>rd</sup> March 2026 FFC writing on behalf of MS stated: *“For the avoidance of doubt, Mr Silva did not intend to breach Rule E3.1. He did not intend to imply bias, be offensive to, or question the integrity of, any Match Official...he did not intend to cause offence to the VAR for the match. That said having reviewed the passage of his interview highlighted in the FA’s letter, Mr Silva accepts that a reasonable bystander could interpret his comments in a negative way. Given this, he has decided to admit the Charge...”*

29. Having considered carefully the aggravating factors the Commission decided that the imposition of a sanction that included a sporting and a financial element was appropriate and proportionate in all the circumstances.

30. To this end, the Commission, with MS's declared income in mind, decided that MS ought to be immediately suspended for one (1) match (Standard Touchline) and fined the sum of £120,000.

31. Having considered the mitigation put forward, as well as the admitted plea, the Commission decided to reduce the financial element of the sanction by 25% to £90,000.

32. The Commission turned its mind to the issue of whether or not the sporting element of the sanction ought to be suspended.

33. Paragraphs 43 and 44 of the Disciplinary Regulations, Part A – General Provisions state as follows:

*Suspended Penalty*

*43. Save where any Rule or regulation expressly requires an immediate penalty to be imposed, and subject to paragraphs 44-46 below, the Regulatory Commission may order that a penalty imposed is suspended for a specified period or until a specified event and on such terms and conditions as it considers appropriate.*

44. *When considering imposing a suspended penalty, a Regulatory Commission must:*

*a) Determine the appropriate penalty for the breach, irrespective of any consideration of it being suspended; and*

*b) Consider whether there is a **clear and compelling reason(s)** for suspending that penalty; if so*

*i. Set out what the clear and compelling reason(s) are; and*

*ii. Decide the period of the suspension, or event, until which the penalty will be suspended; and*

*iii. Upon what other terms or conditions, if any, the penalty will be suspended.*

34. The Commission did not consider there to be any “*clear or compelling reason*” that would justify suspending the sporting sanction.

35. The FA wrote at para 6.6 of its Response to Reply document: “*Given the amount of time that has elapsed since MS’s last relevant breach of FA Rule E3.1, The FA recognises that the Commission may consider there is a basis to suspend part or all of a sporting sanction.*”

36. Given that MS had four previous proven E3 Misconduct charges on his disciplinary record, two of which were for inferring bias against Match Officials through comments made in the media, as well as the comments of another Commission as set out in this document at para 24, the Commission did not consider the elapsed time since MS’s

last relevant breach of FA Rule E3 to be a clear and compelling reason to suspend any element of the sanction.

37. As such, the final sanction that the Commission decided was fair and proportionate in all the circumstances was:

- a. MS is immediately suspended from all domestic club football, with a Standard Touchline suspension, until such time as Fulham FC have completed one (1) First Team Competitive Match (Category 1) in an approved competition.; and
- b. MS is fined the sum of £90,000

38. This decision is subject to appeal in accordance with the Rules and Regulations of The FA.

**Stuart Ripley**

Regulatory Commission Chairman

2<sup>nd</sup> April 2026