

Football Association Independent Regulatory Commission

(the ‘Commission’)

**in the matter of FA Rule E3 Misconduct charges brought by The FA against
Thomas Tuchel (‘TT’) Manager of Chelsea FC and Antonio Conte (‘AC’)
Manager of Tottenham Hotspur FC.**

Regulatory Commission Decision

1. These are the written reasons for a decision made by an Independent Regulatory Commission which sat on Friday 19th August 2022.
2. The Commission members were Mr. Stuart Ripley (Chairman), Mr. Alan Hardy and Mr. Tony Agana, all of whom are Independent Football Panel Members.
3. Mr. Michael O’Connor of the FA Judicial Services Department acted as Secretary to the Regulatory Commission.
4. The following is a summary of the principal submissions provided to the Commission. It does not purport to contain reference to all the 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.

Background to the Charges

5. On Saturday, 14th August 2022 Chelsea FC played Tottenham Hotspur FC at Stamford Bridge in the Premier League. At the final whistle the score was a 2-2 draw. An incident occurred as the two respective Managers shook hands at the end of the match.
6. The Referee, Anthony Taylor submitted two reports (identical save for the names of the respective managers) dated 15th August 2022, in which he stated the following: *“I have to report that I, as the Referee sent off Thomas Tuchel/Antonio Conte of Chelsea/Tottenham Hotspur under Law 12: Physical or aggressive behaviour (including biting and spitting). At the Final whistle the two managers, Mr Tuchel and Mr Conte shook hands at the side of the pitch which appeared to result in prolonged physical contact between them. As a result an aggressive confrontation ensued which caused a further mass confrontation involving the technical areas and players. Having showed Mr Tuchel/Conte the red card I advised him to leave the field of play”*.
7. The FA charged both TT and AC with ‘Misconduct’ for a breach of FA Rule E3 in respect of the above incident. The FA alleged that following the end of the fixture the behaviour of both TT and AC was ‘Improper’.
8. The FA designated the case as ‘Non-Standard’ due to the level of aggression demonstrated in the alleged behaviour and/or unusual nature of the reported behaviour.
9. On 17th August 2022, AC admitted the charge by way of The FA’s Disciplinary Proceedings Reply Form.

10. On 18th August 2022, TT admitted the charge by way of The FA's Disciplinary Proceedings Reply Form.
11. Neither TT nor AC requested an opportunity to attend a Commission for a personal hearing and were content for the matter to be dealt with by way of a Paper Hearing.
12. The charges against TT and AC were consolidated pursuant to Regulation 13 of the Disciplinary Regulations 2022/23 at page 181 of The FA Handbook Season 2022/23. As such the hearings were conducted together and the charges against TT and AC were determined at a joint hearing.

The Hearing

13. Prior to the joint hearing the Commission was furnished with the following:
- a. Reports of the Match Referee, Mr. A. Taylor, dated 15th August 2022;
 - b. Two video clips of the incident;
 - c. A letter dated 16th August 2022 from AC;
 - d. A letter dated 16th August 2022 from Kelly Francis, Football Secretary at Tottenham Hotspur FC;
 - e. A letter dated 18th August 2022 from TT; and
 - f. A letter dated 18th August 2022 from David Barnard, Director of Football Operations at Chelsea FC.
14. In addition to the above the Commission was furnished with the weekly net salaries of both TT and AC.

15. With the charges having been admitted by both TT and AC the only consideration for the Commission was that of sanction.
16. The Commission noted that TT had no previous charges recorded within his previous five year disciplinary history whilst AC had one accepted charge relating to the fixture between Chelsea FC and Swansea City FC on 29th November 2017 within his previous five year disciplinary history. On that occasion AC accepted a standard £8000 fine.
17. The Commission watched the available footage on numerous occasions and considered carefully the documentation before it in order to evaluate the mitigating and aggravating factors applicable to the roles of both TT and AC in the incident.
18. The Commission noted that in AC's letter he states, *inter alia*, the following: "I would first like to apologise to the Commission for the events that happened after the game against Chelsea on Sunday which is not something I like being associated with, or seeing on a football field. For this reason I have therefore admitted the charge of Improper Conduct...the Referee blew the final whistle, I wanted to congratulate my players and acknowledge the away fans, as well as the home fans who I still hold with great affection after my time managing the club...so not to create any further unease between us I wanted to quickly shake hands and move on...I extended my hand towards him with the intention of briefly shaking his, however he grabbed my hand and did not release his grip. Due to his very firm grip my arm jarred causing me to be pulled backwards. I was both surprised and unhappy that such handshake caused me to be pulled back with such physical force. I did not over-react to this provocation and with

the circumstances was proud of how I handled myself. Had I made any reaction then I understand the situation would have been much worse.”

19. The Commission noted that, *inter alia*, TT wrote in his letter: *“At the end of the match I approached Mr Conte to shake his hand as an act of sportsmanship. Mr Conte took my hand but did not look at me and I considered his demeanour to be a sign of disrespect towards me. I therefore held on to his hand as he walked past me and told him to look me in the eyes when he shakes my hand. Mr Conte replied in Italian and acted very aggressively towards me. I did not react to his aggression and did not say anything insulting to him...I acknowledge that I could and should have dealt with Mr Conte’s conduct towards me in a more appropriate manner (for example, by speaking to him privately afterwards)...I apologise to The FA and to the Regulatory Commission, for having to bring and consider the Charge”*

20. The Commission, amongst all other factors, took into consideration the following when evaluating the levels of sanction to be imposed on AC and TT:

- a. As managers of their respective Premier League clubs, AC and TT ought to be held to elevated standards of behaviour; They are looked up to by their staff, players and supporters and they, quite rightly, are expected to set and maintain the highest standards of behaviour;
- b. The Premier League is the most watched football league in the world. As such, thousands of fans at the match and millions of viewers around the world would have witnessed the aggressive inappropriate behaviour of both TT and AC;

- c. It was quite clearly TT who instigated the confrontation between himself and AC by choosing to grip AC's hand and jolt him back after AC had passed him by;
- d. Had TT not gripped AC's hand the confrontation between the two and the subsequent melee that followed would not have occurred;
- e. TT gripping AC's hand for the reason he gave (AC did not look him in the eye) was simply not justifiable; cursory handshakes are a common occurrence at the end of highly charged football matches and there exists no obligation for one person to look the other in the eye whilst shaking hands;
- f. TT telling AC to look him in the eyes whilst gripping his hand and not allowing AC to move away was a highly provocative act;
- g. AC was unwillingly pulled, literally, into the confrontation with TT;
- h. AC did react aggressively to TT's actions but the Commission did not consider him to have hugely over-reacted given the circumstances;
- i. AC did remain irate after he had extricated himself from TT's grip and others had separated the two;
- j. AC appears to enter into a brief but heated verbal exchange with the Chelsea player, Cesar Azpilicueta, before leaving the pitch;
- k. The confrontation between AC and TT caused a mass gathering of staff, players and stewards that could easily have escalated the situation;
- l. The game was a London derby and the crowd was highly charged. The confrontation between AC and TT was likely to have increased tensions between the two sets of spectators;
- m. Whilst certain aspects of AC's behaviour could be considered as being improper, indeed he admitted as much, the Commission

considered TT to be largely culpable for the incident and unanimously felt that this ought to be clearly and definitively reflected in the level of sanction imposed on TT and AC.

- n. Both AC and TT made written apologies and admitted the charges.
- o. AC had one admitted charge on his previous five year disciplinary record but this was nearly five years ago, back in November 2017.

21. In coming to its decision as to where to pitch the respective sanctions the Commission also took into consideration the level of fine stipulated by The FA for an Admitted *Standard* charge for '*Improper*' behaviour at Premier League level, which stands at £8000, and also the significant weekly net income of the two Premier League Managers that had been divulged to the Commission in the documentation received.

22. Having considered all the circumstances of the incident and taking into consideration all the mitigating and aggravating factors, the Commission decided the following sanctions shall apply:

- a. For his part in the incident AC is fined the sum of £ 15,000.00;
- b. For his part in the incident TT is fined the sum of £35,000.00;
- c. TT must also serve a touchline ban until Chelsea FC First Team have completed one (1) match in an approved competition.

23. The Commission felt that the above sanctions reflected the seriousness of the behaviour of both TT and AC during the incident but also reflected that TT was significantly more culpable than AC in respect to causation.

24. This decision is subject to the relevant FA Appeal Regulations.

Stuart Ripley

Regulatory Commission Chairman

22nd August 2022