

THE FOOTBALL ASSOCIATION

and

Mr LUIS SUAREZ

Liverpool FC

**THE DECISION AND REASONS
OF THE FA REGULATORY COMMISSION**

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Introduction

1. On Sunday, 21 April 2013, Liverpool FC (“Liverpool”) played in a Premier League match against Chelsea FC (“Chelsea”) at Anfield, with a kick-off time of 4pm. This match was broadcast live by the radio and television to millions of domestic and overseas audiences.
2. In the 65th minute of the above match, an alleged incident of Liverpool player Mr Luis Suarez biting Chelsea player Mr Branislav Ivanovic had occurred.
3. The Match Officials did not see this incident, and therefore no action was taken against Mr Suarez at the time, but it was caught by the cameras and broadcast live by the television and radio.
4. This incident became a huge topic of discussion for the media, other interested parties and the general public alike.
5. Mr Suarez issued an apology for his actions and Liverpool stated that they had fined Mr Suarez an undisclosed sum, which was reportedly donated to the Hillsborough Family Support Group.
6. The incident was on the field of play, which fell within Law 12 and was not seen by the Match Officials but was caught on video. In accordance with their Rules and Regulations, The Football Association (“The FA”) reviewed the incident retrospectively.

The Charge

7. On Monday, 22 April 2013, The FA charged Mr Suarez with misconduct for a breach of FA Rule E3, alleging that Mr Suarez’s behaviour in or around the 65th minute of the match constituted violent conduct.
8. The FA also claimed that the standard punishment that would otherwise apply – which for a standard charge of violent conduct is a three-match suspension – is clearly insufficient.
9. Mr Suarez had until 6:00pm on Tuesday, 23 April 2013, to reply to the Charge and provide any documentation or other material in support of his case.

The Plea

10. On Tuesday, 23 April 2013, through Brabners Chaffe Street LLP Solicitors, Mr Suarez responded to the Charge by admitting to the violent conduct (in para 7).
11. However, Mr Suarez denied that the standard punishment that would apply to the offence of violent conduct is clearly insufficient (in para 8).

Relevant FA Rules and Regulations

12. The applicable paragraph of the FA Rule E3 states:

“(1) A participant shall at all times act in the best interest of the game and shall not act in any manner which is improper or bring 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.”

13. The Regulation 4.12 of the Regulations for FA Disciplinary Regulations (p. 416 – 417, FA Handbook 2012-13) states:

“Incidents concerning Players on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (violent conduct, spitting at an opponent or any other person, offensive, insulting or serious foul play, abusive language or gestures).

4.12 Where a Player is charged with Misconduct contrary to Rule E3 of The Association, for a matter on the Field of Play (which falls under Law 12 but was not seen by Match Officials during the period of the game), the proceedings shall follow the specific procedures and time limits set out in the relevant directions concerning such matters as determined by Council from time to time (the “Standard Directions – Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (violent conduct, spitting at an opponent or any other person, offensive, insulting or serious foul play, abusive language or gestures)” – see Schedule A). If the Regulatory Commission finds the case proved, an appeal will be allowed only against the level of sanction, and then only if the suspension given is greater than three matches. The procedures set out in Schedule D – “Standard Directions for

Appeals against decisions of Regulatory Commissions in relation to: Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (serious foul play, violent conduct, spitting at an opponent or any other person, offensive, insulting or abusive language or gestures)” will then apply.”

14. The relevant Standard Directions (pp. 389ff, FA Handbook 2012-13) states:

“Schedule A

Standard Directions for Incidents on the Field of Play which fall within Law 12, which were not seen by Match Officials, but caught on video (serious foul play, violent conduct, spitting at an opponent or any other person, offensive, insulting or abusive language or gestures)

For Players of Clubs of The FA Premier League, Football League, Football Conference National Division and The FA WSL.

(a) *General Principles*

These Standard Directions are subject to the terms of the Regulations of The Association and the relevant Memorandum. In the case of any conflict, first the Regulations and then the relevant Memorandum will apply.

These are Standard Directions; they may be deviated from at the discretion of the Regulatory Commission dealing with any given case, if the circumstances of that case so dictate.

Under these Standard Directions, The Association may charge a Player with Misconduct under the Rules of The Association for incidents on or around the Field of Play, excluding the tunnel area, that are caught on camera but not seen and dealt with by the Match Officials at the time. The Charge may be accompanied by an offer of the standard punishment that would apply to the offence had it been seen and reported by the Match Official(s) during the match.

In exceptional circumstances, where The Association is satisfied that the standard punishment that would otherwise apply is clearly insufficient, no standard punishment offer will be made in the charge letter.

Where the player charged has been suspended due to a dismissal or under these Standard Directions earlier in the same season, the penalty offered shall be increased to include, in addition to the applicable standard punishment, one game for each occasion that the player has been so suspended.

For these purposes a dismissal earlier in the same season in a non first team competitive match will only be taken into account where it is for violent conduct, serious foul play or spitting.

A written statement by Match Officials that they did not witness a particular incident shall be conclusive evidence of that fact.

...

(c) Regulatory Commission Procedures

The following procedures shall be followed at the Regulatory Commission unless the Regulatory Commission thinks it appropriate to amend them:

- (i) Reports along with any other evidence, including video evidence, in support of the Charge, shall be put before the Regulatory Commission by the Secretary of the Regulatory Commission;*
- (ii) All statements and video or other evidence in defence of the Charge shall be put before the Regulatory Commission by the Secretary of the Regulatory Commission.*

For offences alleged to have been committed in the same match, where there is common Association or defence evidence the Regulatory Commission shall hear all evidence at the same hearing. Evidence adduced in the defence of a Player shall be capable of constituting evidence against another Player. The Regulatory Commission shall give appropriate weight to such evidence. The Regulatory Commission will generally hear evidence in chronological order of the alleged events but shall have complete discretion to take matters out of order for timely, efficient and appropriate disposal of the proceedings.

(d) Decisions

Where a Charge is denied, the Regulatory Commission will decide whether the Charge is proved or not proved.

In the event that the Charge is not proved, the Charge will be dismissed.

In the event that a Charge is proved or admitted, the Regulatory Commission will decide on the penalty to be served by the Player. The standard punishment may be decreased or increased by the Regulatory Commission only in the exceptional circumstances set out at (i) and (ii) below. In all other cases, the penalty shall be the standard punishment.

...

(ii) Increasing the standard punishment

Where no offer of the standard punishment is made in the charge letter, the Regulatory Commission may only increase the applicable standard punishment where The FA has claimed in the Charge that the standard punishment would be clearly insufficient.

In such cases, the Regulatory Commission shall increase the standard punishment only where it is satisfied so that it is sure that the circumstances of the incident under review are truly exceptional, such that the standard punishment should not be applied, and the standard punishment would be clearly insufficient, having regard to the following –

- a. The applicable Law(s) of the Game and any relevant FIFA instructions and / or guidelines;*
- b. The nature of the incident and the Player's state of mind, in particular any intent, recklessness or negligence;*
- c. Where applicable, the level of force used;*
- d. Any injury to an opponent caused by the incident;*
- e. Any other impact on the game in which the incident occurred;*
- f. The prevalence of the type of incident in question in football generally;*
- g. The wider interests of football in applying consistent punishments for dismissal offences.*

If the Regulatory Commission is so satisfied, the Player shall not be subject to the standard punishment applicable to the incident. The Commission shall

determine what level of punishment shall apply instead, having regard to the factors at a-g above.

If the Regulatory Commission is not so satisfied, the player shall be subject to the standard punishment applicable to the incident.

In all cases, the Regulatory Commission may increase any punishment that it imposes if it believes a denial of the Charge or any claim by the Player that the standard punishment would be clearly excessive in their case, to have been an abuse of process or without any significant foundation.

The decision of the Regulatory Commission will be communicated verbally to the Player/Club on the same day as the decision is reached, and in writing by the end of the following working day.

(e) Right of Appeal

The Player will have a right of appeal only in the event that a penalty is ordered in excess of a three-match suspension. The Player may only appeal against the level of penalty imposed and only in respect of that part of the suspension in excess of three matches. No other appeal (for instance, against the decision that the Charge was pursued) is allowed.

Information regarding the appeals process is set out in the Standard Directions for Appeals against decisions of Regulatory Commissions (see Schedule D).

(f) Written Reasons

A request for written reasons in respect of the decision of the Regulatory Commission may be lodged with the Regulatory Commission, in which case the request must be made at the time of verbal notification of the decision (i.e. on the same day as the Regulatory Commission). If requested, written reasons will be supplied to parties by 6pm on the first working day following the Regulatory Commission.

(g) Representation

A Player does not have the right to be present or represented at a hearing of a Regulatory Commission in respect of incidents covered by this Standard Direction. The matter will be dealt with on video and written evidence only."

The Regulatory Commission

15. The FA appointed the following members to the Regulatory Commission (“the Commission”, “We”) to hear this case:

Mr Thura KT Win, JP (Chairman)

Mr Roger Pawley

Mr Brian Talbot

Mr Mark Ives, the FA Disciplinary Manager, acted as Secretary to the Commission and was assisted by Mr Rob Marsh, FA Senior Disciplinary Assistant.

16. As there is no right of representation by either party – The FA or Mr Suarez, in accordance with the Schedule A of Standard Directions above – we convened via video conference on Wednesday, 24 April 2013.

17. Prior to the Hearing, we had received a 33-page bundle of documents from both parties and had read the written submissions:

17.1. The Charge from The FA;

17.2. The FA’s submissions;

17.3. The Report from the Match Referee, Mr Kevin Friend;

17.4. Mr Suarez’s submissions, via Brabners Chaffe Street LLP Solicitors, with:

17.4.1. Reply Form (B) as completed by Mr Suarez, dated 23 April 2013;

17.4.2. Public statements made by Mr Suarez on 21 and 22 April 2013;

17.4.3. A personal statement from Mr Suarez dated 23 April 2013;

17.4.4. Schedule of Previous Incidents of Violent Conduct;

17.4.5. Extract from FIFA Guidance on the Laws of the Game;

17.4.6. A letter from the First Team Manager of Liverpool, Mr Brendan Rodgers, dated 23 April 2013; and

17.4.7. A letter from the Club Secretary of Liverpool, Ms Zoe Ward, dated 22 April 2013.

18. We noted that Mr Friend, the Match Referee, reported:

“I have to report that on approx 65mins in this match Branislav Ivanovic made an allegation to me that Luis Suarez had just bitten him. I did not see the incident as it happened off the ball and I was looking elsewhere. Having had a look at the DVD of the match I can confirm and it is clear that Luis Suarez did deliberately bite his opponent Branislav Ivanovic. If I had seen this incident at the time I would have classed this as violent conduct by Luis Suarez and sent him from the field of play. I can also confirm that none of the other match officials had seen this incident at the time. I would like the FA to have a look at this incident of violent conduct.”

19. We were satisfied from Mr Friend’s report that the application of Regulation 4.12 (refer in para 13) and General Provisions under the Schedule A of Standard Directions (refer in para 14) had been met.

20. We viewed the two video clips relating to the incident – from different camera angles, different views and different speeds.

21. As Mr Suarez had admitted to the FA Rule E3 Charge (refer in para 10), the Charge was proven. We also noted in the letter to Mr Suarez from the Club Secretary of Liverpool FC, Ms Zoe Ward, (refer in 17.4.7) it stated “... you confirmed that you bit the Chelsea player, Branislav Ivanovic, on the arm during the above fixture ...”.

22. As The FA had claimed that the standard punishment that would otherwise apply is clearly insufficient (refer in para 8) and this was not accepted by Mr Suarez (refer in para 11), we were to deal with this case, not as a Misconduct Charge but, under the Schedule A of Standard Directions and we did not take into consideration any previous Disciplinary Records of Mr Suarez and considered the offence in isolation.

23. To consider The FA’s claim to increase the standard punishment, we referred to the applicable paragraph (d)(ii) of the Schedule A of Standard Directions.

24. We noted that, firstly, we needed to be satisfied so that we were sure that the circumstances of the incident under review are truly exceptional, such that the

- standard punishment should not be applied, and the standard punishment would be clearly insufficient, having regards only to the seven factors, headed a – g in paragraph (d)(ii) of the Schedule A of Standard Directions.
25. If we were not so satisfied then the standard punishment would apply and we would not be seeking to increase the standard punishment.
26. Only if we find that we were so satisfied then we were, secondly, to determine what level of punishment should apply instead of the standard punishment, having regards to the same seven factors, headed a – g in paragraph (d)(ii) of the Schedule A of Standard Directions.
27. In dealing with whether the circumstances of the incident are truly exceptional, we will consider and comment as appropriate on the submissions received from The FA and Mr Suarez below under the headings of the seven factors.
- a. The applicable Law(s) of the Game and any relevant FIFA instructions and / or guidelines*
28. We noted that the action for the Referees under Laws of the Game, Law 12, for violent conduct is the dismissal of the player from the field of play and that there is no instructions or guidelines for the sanctions from FIFA. It has been up to individual country's Association or Federation to apply the sanctions as they see fit under their own jurisdictions.
29. For clarification, the standard punishment of three-match suspension for a proven standard violent conduct offence in England is a matter for The FA, and it was set as an entry point for the standard violent conduct offence, after consultations with the stakeholders.
30. We wished to emphasise that it is a standard punishment and that, under the Regulations, both the Club and The FA has the right to apply for a decrease or an increase in sanction as appropriate if the circumstances are considered to be "truly exceptional".
31. We disagreed with the submissions made by Mr Suarez that the three-match suspension for violent conduct is set by FIFA or as stipulated by Laws of the

Game, and the implication that we ought to give regards to this.

32. We were grateful to Mr Suarez for inclusion of Schedule of Previous Incidents of Violent Conduct (refer in para 17.4.4) and references to other punishments given but we believed these arguments did not belong under this factor and would address these later.
33. We agreed with Mr Suarez's submission and we would only be considering the circumstances of this incident/offence and not allow the fact that the Referee did not see the incident to conflate the issues.
34. We did not find significant arguments in this factor that would contribute towards the circumstances of the incident being truly exceptional.

b. The nature of the incident and the Player's state of mind, in particular any intent, recklessness or negligence

35. The FA had submitted that: Mr Suarez deliberately bit an opponent on the arm in an unprovoked attack; Mr Suarez intended, or at best was entirely reckless to the possibility, that his action should cause Mr Ivanovic injury; Mr Ivanovic demonstrated remarkable restraint in response to the incident and it was entirely possible – indeed it may have been one intention [of Mr Suarez] – that the attack would provoke a violent response from Mr Ivanovic which would have resulted in the latter being dismissed from the field of play.
36. Mr Suarez submitted that: he had accepted biting Mr Ivanovic but it was not a planned or premeditated act on his part; he did not accept, and suggested that there was no evidence, that it was his intention to provoke a violent response from Mr Ivanovic which would have resulted in the latter being dismissed from the field of play; he did not intend to cause Mr Ivanovic injury.
37. In the video clips we viewed (refer in para 20), we saw that Mr Suarez had lost the possession of the ball and Mr Ivanovic played the ball away. Mr Suarez then grabbed hold of Mr Ivanovic by both hands and bit into Mr Ivanovic's arm whilst holding Mr Ivanovic who was looking away at the play, which was some meters away. Mr Ivanovic appeared to be surprised, shocked and reacted

- by forcefully pushing Mr Suarez away and falling on the ground. Mr Ivanovic was then seen to be reporting the incident to the Referee straight away.
38. It was our judgement that Mr Suarez deliberately and purposefully bit into Mr Ivanovic's arm in an unprovoked attack and it was an off the ball incident.
 39. We also believed that Mr Suarez intended to cause injury to Mr Ivanovic with his bite but we agreed with Mr Suarez that there was no evidence from The FA to support the fact that Mr Suarez was trying to provoke a reaction from Mr Ivanovic, which would lead to Mr Ivanovic being dismissed from the field of play.
 40. Whilst we could not reasonably be expected to consider or understand the state of mind of Mr Suarez at the time, it would be preposterous to conclude that it was not an intentional act.
 41. We found that biting an opponent in itself was extremely shocking, unexpected and truly exceptional. Whilst there are numerous violent conduct cases arising out of physical bodily contact between players, the incidents of biting an opponent are very rare.
 42. We also found that the deliberate, purposeful, unprovoked, off the ball attack of this nature truly exceptional.
- c. Where applicable, the level of force used*
43. The FA had submitted that Mr Suarez's bite was sufficiently forceful to cause Mr Ivanovic to cry out in shock and pain and to react by pushing Mr Suarez forcefully off him.
 44. Mr Suarez submitted that he accepted his bite to Mr Ivanovic's arm did involve the application of some pressure by his teeth into Mr Ivanovic's arm, which clearly resulted in Mr Ivanovic being aware that he had been bitten. It was further accepted that Mr Ivanovic appeared to be shocked by the incident, reacted by pushing Mr Suarez off him and might well have suffered some discomfort as a result of the bite.
 45. Mr Suarez stated that there was no evidence of injury and it was not accepted

as submitted by The FA that Mr Ivanovic cried out in pain. We agreed that there was no evidence of injury and we did not see Mr Ivanovic crying out. However, we accepted the remaining points from both sides and believed that Mr Ivanovic was shocked, surprised and suffered some pain as a result.

46. We found that, based on the evidence available, any possible level of force used in this incident would not contribute towards the circumstances of this incident being truly exceptional.

d. Any injury to an opponent caused by the incident

47. As previously mentioned, we did not receive any evidence to support injuries to Mr Ivanovic and we did not see Mr Ivanovic needing a treatment, and he carried on with the game.

48. Mr Suarez stated that he had spoken to Mr Ivanovic to apologise and Mr Ivanovic said that he had suffered no injury. We did not have any evidence to support this claim either.

49. However, we were content that any possible injuries that we could deduce in this incident would not contribute towards the circumstances of this incident being truly exceptional.

e. Any other impact on the game in which the incident occurred

50. The FA had submitted that subsequent to the incident, in the 96th minute of the game, Mr Suarez scored a goal to equalise the score at 2-2. The game ended in a draw. Had this incident been seen by the Match Officials during the match, Mr Suarez would have not been on the pitch to score the crucial equalising goal.

51. Mr Suarez submitted that: the incident had no wider impact on the game itself; Mr Ivanovic, whilst drawing the attention of the Referee to the incident, did not react further; to this extent, it was in fact possible to describe the incident in question as being 'isolated' and confined to a couple of minutes during the game.

52. Mr Suarez respectfully reminded us not to conflate the issue of the Referee not

having seen the incident with the assessment of the nature of the incident itself.

53. Mr Suarez also suggested that the fact he remained on the field of play and scored the equalising goal did not in itself make the incident more ‘violent’ and therefore more deserving of an increased punishment.
54. Whilst we could understand and sympathised with The FA’s submission that Mr Suarez not being dismissed after the incident had an impact on the game, we believed that this outcome could not be classed as a contributor towards the circumstances of this incident being truly exceptional.

f. The prevalence of the type of incident in question in football generally

55. Mr Suarez submitted that this particular factor does not entitle the Commission to deviate from the standard punishment. It was contended that this factor would only be of assistance in those cases where there is a particular and recurring pattern of misconduct in football, which requires particular attention.
56. Mr Suarez further submitted that this was not a case where a sanction in addition to the standard punishment is required to act as deterrence to other players as the nature of the incident is extremely rare. In short, players throughout the game know that biting an opponent is not acceptable behaviour and do not need to see Mr Suarez receive a ban in excess of the standard punishment to be discouraged from acting in such a manner.
57. We disagreed with Mr Suarez that this factor is not applicable for us to consider in this case. We agreed that the incidents of biting an opponent in football are very rare at the moment and, because of this situation, we need to ensure that it will remain so. We have the responsibility for the whole game of football in England, down to the youth football at grassroots level. We believe it is our duty to discourage any players at any level from acting in such a deplorable manner or attempting to copy what they had seen on the television.
58. The FA submitted that Mr Suarez’s action took place in the 65th minute of the match between Liverpool and Chelsea, two of the most distinguished and heralded clubs in England. The match was televised live to millions of viewers

both domestic and overseas. Within a few hours of the match, reference to the incident was both headline news around the country and the top trend on twitter *worldwide*.

59. The FA added that Mr Suarez is an international and one of the best known and lauded players in the country. He plays for Liverpool, one of the most successful clubs in English football history. A player at this level of the game has a duty to uphold the highest standards of conduct and to set an example to minors. Mr Suarez's conduct on this occasion fell far below the standards expected of him.
60. The FA asserted that there are simply no circumstances in which it is acceptable for a player to bite an opponent. Mr Ivanovic cannot have reasonably expected to have been subject to such an action. There can be no justification whatsoever for such a shocking and reprehensible act.
61. The FA stated that such an incident has a deleterious effect on the image of the game of football in this country. It serves to undermine the integrity and reputation of the sport. Furthermore Mr Suarez's conduct has damaged the image of English football across the globe.
62. Mr Suarez contended that, whilst not seeking to diminish his own actions, it is his reputation that has been damaged. The incident was not the type, which calls into question the wider reputation of football as most reasonable observers would have concluded that the fault for the incident lies solely with Mr Suarez and not the football authorities or governing bodies.
63. Whilst we understood the references being made by The FA about the clubs involved and they are two of the most distinguished and heralded clubs in England, that Mr Suarez is an international and one of the best known and lauded individual players in the country, we decided that we would put little weight on these factors in our considerations.
64. We, however, agreed that this incident had been seen by millions of viewers both domestic and overseas, as well as generating a great deal of interest and debate amongst countless number of people. We agreed that the images of the

- incident are truly shocking and, whilst we accepted that Mr Suarez's reputation had been impacted, these unsavoury images would have given a bad image of English football domestically and across the world alike.
65. We also agreed that all players in the higher level of the game are seen as role models, have the duty to act professionally and responsibly, and set the highest example of good conduct to the rest of the game – especially to young players. In this regard and on this occasion, Mr Suarez's conduct had fallen far below the standards expected of him.
66. We further agreed that the participants in a game of football do not expect to be bitten by another participant when they come to play football. In this incident, Mr Ivanovic would not, and should not, have been expected to be subject to such a shocking and reprehensible action.
67. We have, therefore, found many arguments in this factor to be supporting the circumstances of this incident to be truly exceptional.
- g. *The wider interests of football in applying consistent punishments for dismissal offences*
68. As referred to earlier (in 32), Mr Suarez had included the Schedule of Previous Incidents of Violent Conduct and references to the punishments given but we are aware that the charges for violent conduct offences cover a wide range of acts committed by the participants.
69. We also noted that all, but one of the offences cited were physical bodily contacts, as opposed to biting an opponent as in this case, and the Regulatory Commissions would have to decide on the facts and merits of each case, and arrived at the appropriate sanctions at the time.
70. With reference to the only biting incident cited by Mr Suarez of Jermaine Defoe's alleged biting incident against a West Ham player in 2006, we noted the submission that the Referee did see the incident and issued the player with a caution, and The FA took no further action. We were unable to comment about The FA's position at that time to possibly pursue additional sanctions, but we do know that the Regulatory Commissions could only deal with the matters

placed before them.

71. We noted that Mr Suarez had recognised and accepted that The FA does reserve the right even in cases which were seen by the Referee to request that a Regulatory Commission determine whether a standard punishment was clearly insufficient. We wished to add that current Regulations also allow a request for decreasing the standard punishment if it is deemed clearly excessive.
72. In response to the submission by Mr Suarez, we were in agreement that there have only ever been two previous cases where a Regulatory Commission had been satisfied that an incident on the field of play was truly exceptional when considering a potential increase in sanction. We believe it shows that the Regulatory Commissions do very carefully consider such claims made by The FA that standard punishment is clearly insufficient.
73. We, however, found arguments under this factor that would contribute to the circumstances of this incident to be truly exceptional.

Our Conclusion

74. In considering the factors a – g above and submissions by both parties, we were sure when taking all into consideration that the circumstances of the incident of the bite are truly exceptional.
75. We, therefore, upheld the claim made by The FA that this standard punishment would be clearly insufficient.

The Sanction

76. Having considered that the standard punishment is clearly insufficient, we then went on to deliberate what appropriate level of sanction was to be applied.
77. In this regard, we noted that there were no guidelines or precedence for this type of incident. However, we were mindful that we need to be concentrating on the circumstances of this incident and comparable violent conduct offences as a guide and not be tempted to compare with other dissimilar cases. We were also aware that the Rules, Regulations and practices have evolved and any temptations to refer to historical cases and sanctions would be wrong.

78. We, therefore, considered and gave regards to the two previous cases, which the circumstances of the incidents were deemed to be truly exceptional and where there were claims by The FA that the standard punishments were clearly insufficient.
79. One such case was of Eden Hazard, of Chelsea, who was charged after kicking a ball boy in January 2013 at Chelsea's League Cup semi-final match against Swansea City. On that occasion, the Regulatory Commission found that the standard punishment was sufficient and decided that a three-match suspension was deemed appropriate.
80. Another such case was of Ashley Barnes, of Brighton & Hove Albion, who was charged after tripping the Referee in March 2013 at Brighton & Hove Albion's match against Bolton Wanderers. On that occasion, the Regulatory Commission found that the standard punishment was insufficient and decided to award a further three-match suspension, making a total of six-match suspension (in addition to one extra match suspension for his second dismissal of the season).
81. We wished to note that the case of Ben Thatcher, of Manchester City, who was charged with serious foul play in 2006 against Pedro Mendes, of Portsmouth, as cited by Mr Suarez is dissimilar to the violent conduct offence we were dealing with for Mr Suarez and, therefore, did not take it into consideration.
82. We found earlier under the factors a – g that:
 - 82.1. Mr Suarez deliberately and purposefully bit into Mr Ivanovic's arm in an unprovoked attack in an off the ball incident;
 - 82.2. Mr Suarez intended to cause injury to Mr Ivanovic with his bite – albeit no evidence of injury;
 - 82.3. The nature of biting an opponent is in itself extremely shocking, unexpected and truly exceptional;
 - 82.4. The incidents of biting an opponent in football are very rare at the moment and we need to ensure that it will remain so;
 - 82.5. We have the responsibility for the whole game of football in England, down to the youth football at grassroots level, and it is our duty to

- discourage any players at any level from acting in such a deplorable manner or attempting to copy what they had seen on the television;
- 82.6. This truly shocking incident had been seen by millions of viewers both domestic and overseas, as well as generating a great deal of interest and debate amongst countless numbers of people;
- 82.7. Whilst we accepted that Mr Suarez’s reputation had been impacted, these unsavoury pictures would have given a bad image of English football domestically and across the world alike;
- 82.8. All players in the higher level of the game are seen as role models, have the duty to act professionally and responsibly, and set the highest example of good conduct to rest of the game – especially to young players. In this regard and on this occasion, Mr Suarez’s conduct had fallen far below the standards expected of him;
- 82.9. The participants in a game of football do not expect to be bitten by another participant when they come to play football. In this incident, Mr Ivanovic would not, and should not, have been expected to be subject to such a shocking and reprehensible action.
83. Taking these factors into account on the circumstances of the incident, we concluded that this offence is significantly more serious than that of Ashley Barnes’ and, accordingly, the punishment should be significantly higher.
84. We took into consideration of Mr Suarez’s apology, his personal statement, supporting letter from Mr Brendan Rodgers and the letter from Ms Zoe Ward. But when these were read in conjunction with Mr Suarez’s denial of the standard punishment that would otherwise apply for violent conduct is clearly insufficient, it seemed to us that Mr Suarez has not fully appreciated the gravity and seriousness of this truly exceptional incident.
85. We were mindful that, in a game of football, the coming together of opposing players and physical bodily contacts in challenging for the ball is part of the game – albeit some of the challenges, regrettably, could lead to more serious injuries.

86. However, the incident of biting an opponent is alien to football and must remain so. It is completely unacceptable and such truly disgraceful behaviour could also lead to possible health issues.
87. We also felt that the purpose of our decision should not only be a punishment to Mr Suarez for the offence committed, but must also be sending a strong message that such deplorable behaviours do not have a place in football.
88. After taking everything into consideration, we decided that Mr Suarez must serve an additional seven-match suspension on top of the automatic three match suspension.
89. Whilst we noted Mr Suarez's further submission that any additional match suspensions should be suspended for a certain period of time, we did not find good cause to suspend any of the additional match suspension.
90. We, therefore, ordered that Mr Suarez serve an immediate suspension until such time as Liverpool First Team has completed 10 recognised qualifying matches.
91. This decision is subject to the right of appeal in accordance with the Schedule D of Standard Directions under the FA Regulations.

Signed...

Thura KT Win, JP (Chairman)

Roger Pawley

Brian Talbot

Thursday, 25 April 2013