

In the Matter of Jose Mourinho (Chelsea FC.)

Reasons for Regulatory Commission Decision

Monday 2nd November 2015

1. These are the written reasons for an FA Regulatory Commission decision made on Monday 2nd November 2015.
2. The Regulatory Commission members were Messrs. B. M. Jones, P. Powell and M. Buxton.
3. Mr. Robert Marsh, The FA Judicial Services Manager of The Football Association acted as secretary to the Commission.
4. By letter of the 26th October 2015, Mr. Mourinho was charged with misconduct for a breach of FA Rule E3 in respect of the fixture West Ham United FC v Chelsea FC in the Premier League played on the 24th October 2015 and when it was alleged that his language and/or behaviour in or around the dressing room area at half time amounted to improper conduct in that he:
 - i) Refused to leave the Match Officials' dressing room when requested; and/or
 - ii) Used abusive and/or insulting language towards the Match Officials.
5. The Football Association designated this as a Non Standard Case due to the persistent and/or aggressive nature of the reported behaviour.
6. The report produced by the match referee Mr. Jonathan Moss dated the 25th October 2015 reads as follows:

When myself and my colleagues left the field of play at half time, as we entered the tunnel area to get to our dressing room, Mr Mourinho the Chelsea Manager was waiting for us clearly agitated and began aggressively

asking about first half decisions. Rather than publically speak to him I asked him to step into the entrance of my dressing room escorted by Simon Sutton, the West Ham United Security Manager. Mr Mourinho asked me about a tackle, an offside and a goal line clearance. I gave him brief answers to his questions. After this I asked him to leave the dressing room area. He refused. I asked him again. After he refused again I asked Mr Sutton to escort him from the room. At this point Mr Mourinho became very aggressive and animated. He shouted that you fucking referees are weak... Wenger is right about you...you are fucking weak. I advised Mr Mourinho not to take his position in the technical area for the second half due to his actions.

7. Similar reports were submitted by the Assistant Referees Harry Lennard dated the 25th October 2015; Andrew Halliday dated the 25th October 2015; and the Fourth Official Andy Woolmer also dated the 25th October 2015.
8. Those three additional reports confirmed that Mr Mourinho was asked to leave the dressing room twice before being escorted out of the room by Mr. Sutton the West Ham Security Manager, and they also confirmed the language used by Mr. Mourinho.
9. By his Reply Form dated the 29th October 2015 Mr. Mourinho admitted the charge but did not request the opportunity to attend a Commission for a personal hearing and confirmed that he understood that the charge would be dealt with at a paper hearing on the content of the documents served upon him/the club and any documentation he/the club supplied to The Football Association with the Reply Form.
10. In addition to the above mentioned Match Officials' reports and reply form the members of the Commission had before them the following :-
 - i) a letter from Jose Mourinho dated the 29th October 2015;and
 - ii) formal submissions, including tabbed documents, on behalf of Jose Mourinho of the same date.
11. It is clear from both the letter from Mr. Mourinho and his submissions that he regrets the incident and to his credit he made an early admission.

12. The charge having been admitted we were informed by Mr. Marsh of Mr. Mourinho's previous record of misconduct, which, unfortunately, is not to his credit:
 - a. October 2013. A breach of FA Rule E3. Improper Conduct. Behaviour. Fined £8,000.
 - b. March 2014. A breach of FA Rule E3. Improper Conduct. Behaviour. Fined £8,000.
 - c. April 2014. A breach of FA Rule E3. Media comments. Fined £10,000.
 - d. December 2014. A breach of FA Rule E3. Post-match comments alleging or implying bias and/or bringing the game into disrepute. Fined £25,000.
13. The members of the Commission are aware of a more recent charge but because the same is subject to an on-going Appeal, we did not consider that matter as part of our deliberations as to the appropriate sanction.
14. We carefully considered the mitigation put forward by Mr. Mourinho, and reminded ourselves of his disappointing record of misconduct to date but that he had made an early admission for which some credit can be given.
15. We appreciate that this incident took place out of sight of the spectators but notwithstanding that his behaviour was in the opinion of the Commission unacceptable and he showed a total lack of respect for the Match Officials and the sanctuary of their changing room. That is a most serious matter and has to be dealt with accordingly.
16. This incident was serious because not only was Mr. Mourinho charged with using abusive and/or insulting language towards the Match Officials but he refused on two occasions to leave their changing room when requested and then had to be escorted therefrom by the West Ham Security Manager.
17. Looking at his previous record of misconduct as stated in paragraph 12 above, it is abundantly clear that a financial penalty alone has little or no impact upon his behaviour. That said a financial penalty is still appropriate.
18. We were aware that if this had been a standard charge, and it was not, then a sporting sanction plus a financial penalty would be appropriate for a breach which included abusive and/or insulting language. Normally if such an offence had taken place in the technical area a touch line ban would be invoked. However, this incident had taken place in or around the Match Officials' dressing room area.
19. We considered the imposition of a touchline ban and even an extended touchline ban but given the location in which the offence was committed and

the limitations of a touchline ban, namely that Mr. Mourinho would still be permitted to be in or around the dressing room areas during the match day, we did not consider a touchline ban to be sufficient. To only order a touchline ban would have the potential of enabling Mr. Mourinho to commit a similar offence whilst serving his suspension since he would be allowed to access the area around the changing rooms. We considered a stadium ban to be the appropriate sporting sanction for the offence committed by Mr. Mourinho.

20. Having considered in great detail all of the above we came to the unanimous conclusion that a fair and proportionate penalty would be a one match stadium ban and a £40,000 fine.
21. In reflecting the credit which we awarded Mr Mourinho for his admission to the charge we had reduced the fine by approximately a third. We did not consider it appropriate to reduce the sporting sanction since the order was only for one match.
22. The consequences of a stadium ban are that Mr. Mourinho cannot enter the ground or stadium at which the Chelsea FC first team are playing at any stage on the match day. Furthermore he cannot enter or use any facilities on the site of the stadium or ground at which the team are playing at any stage on the match day nor may he take up a position immediately outside the perimeter of the ground that enables him to have a direct view of the field of play.
23. This decision is subject to the appropriate Appeal Regulations.

Brian M. Jones (Chairman).

Peter Powell.

Mick Buxton.

Wednesday 4th November 2015.