

FOOTBALL ASSOCIATION
INDEPENDENT REGULATORY COMMISSION

WRITTEN REASONS AND DECISION OF
THE INDEPENDENT REGULATORY COMMISSION IN THE MATTER OF A
WRONGFUL DISMISSAL CLAIM BROUGHT BY CHELSEA FOOTBALL CLUB ON
BEHALF OF MR JOHN TERRY ON 10 JANUARY 2017

1. These are the written reasons for a decision made by an Independent Regulatory Commission which sat on 10 January 2016.
2. The Regulatory Commission members were Mr G Farrelly, Chairman, Mr M Robinson and Mr A Knight.
3. The Regulatory Commission members were advised on the Laws of the Game by Mr E Wolstenholme of the Referee Advisory Panel. In particular, the Law relating to 'Denying an obvious goal scoring opportunity' and the factors considered by a Match Official when determining such an incident. Mr Wolstenholme remained available to answer questions with regard to the Laws of the Game, however took no part in discussions concerning the actual specifics of the case.
4. Mr M Ives of the FA Judicial Services Department acted as Secretary to the Regulatory Commission.
5. In order for a claim of Wrongful Dismissal to be successful, the Player and his Club must establish by the evidence it submits that the Referee made an obvious error in dismissing the Player.
6. The incident in question occurred in the Chelsea FC v Peterborough United, FA Cup fixture which took place on Sunday 8 January 2017.
7. In his Official Report Form the Referee, Mr Kevin Friend stated "In this match, John Terry fouled his opponent and this foul denied his opponent an obvious goal scoring opportunity". A free kick was awarded and Mr Terry was shown a red card.
8. The Club submitted video footage evidence of the incident and Mr Terry submitted a statement including a still of the incident, the contents of which the Regulatory Commission read and noted.
9. The Regulatory Commission was mindful that there were two stages to consider when accessing the denial of an obvious goal scoring opportunity. The first, did the Player commit a foul punishable by a free kick or penalty? Secondly, if so, did that foul deny an obvious goal scoring opportunity?
10. In this instance, there was no dispute as to whether a foul had been committed that was punishable by a free kick.
11. The Regulatory Commission considered the relevant Laws of the Game which state that a player, substitute or substituted player who commits any of the following offences is sent off:
 - denying the opposing team a goal or an obvious goal-scoring opportunity by deliberately handling the ball (except a goalkeeper within their penalty area)

- denying an obvious goal-scoring opportunity to an opponent moving towards the opponents' goal by an offence punishable by a free kick (unless as outlined below)
- serious foul play
- spitting at an opponent or any other person
- violent conduct
- using offensive, insulting or abusive language and/or gestures
- receiving a second caution in the same match.

In this instance, Mr Terry denied an obvious goal-scoring opportunity to an opponent moving towards the opponents' goal by an offence punishable by a free kick.

12. The following practical information which is given to Match Officials was also considered:

- The distance between the offence and the goal
- The general direction of the play
- The likelihood of keeping or gaining control of the ball
- The proximity of both the attacker and defender to the ball
- The location and number of defenders, and
- The opportunity for an obvious attempt at goal.

13. Having viewed the available footage of the incident on numerous occasions and having considered Mr Terry's submissions, the Regulatory Commission unanimously agreed that Mr Terry had denied an obvious goal-scoring opportunity. Mr Terry submitted that his left foot slipped, he fell forward lying face down on the floor. He claimed categorically that there was no contact with the attacking player. This account was not accepted by the Regulatory Commission. Mr Terry's is a vastly experienced player and his reaction was a consequence of the movement of the attacking player. He knew exactly what he was doing; if he did not stop him with his foot, he would stop him with his body, hence drawing the contact and denying the attacker a goal scoring opportunity. Furthermore, whether there was contact or not is immaterial as the challenge clearly impeded an opponent and the offence is trips or attempts to trip an opponent.

14. The Regulatory Commission acknowledged the importance of the referee making his decision at the exact time the offence was committed and his judgment at that point as to whether an obvious goal scoring opportunity had been denied or not.

15. As previously stated the Regulations state that the burden lies with the Club to submit evidence that proves that the referee made an 'obvious error' in sending the Player from the field of play and in this instance the Regulatory Commission did not feel that they could say, based on all the evidence before them, that he had made an 'obvious error'. As such the claim failed.

16. The Regulatory Commission did not feel the claim had no prospect of success or in any way amounted to an abuse of process and were not minded to increase the automatic suspension.

Gareth Farrelly, Chairman

Marvin Robinson

Alan Knight

12 January 2017