



IN THE DISCIPLINARY COMMITTEE GHANA FOOTBALL ASSOCIATION

Protest Case: No. A-34- 2017

CORAM

- | | | |
|--------------------------------|---|------------------|
| 1. Prosper Harrison Addo, Esq. | - | Chairman |
| 2. Eva Okyere, Esq. | - | Vice Chairperson |
| 3. Osei Kwadwo Addo, Esq. | - | Member |
| 4. W.O.1 J. W. Amoo | - | Member |
| 5. Alex Kotey | - | Member |
| Emmanuel Newton Dasoberi | - | Secretary |

VISION FC vrs ACCRA YOUNG WISE FC

PROTEST IN RESPECT OF THEIR MATCHDAY 12 GN BANK DIVISION ONE LEAGUE MATCH PLAYED AT ZAYTUNA PARK

PROCEEDINGS

In accordance with Article 41.5 of the Statutes of the Ghana Football Association (GFA), Articles 37(10)(a) to 37(10)(d) of the GFA General Regulations and the GFA Division One League Special Regulations, the Disciplinary Committee (hereinafter referred to as "the Committee") considered the depositions from Vision Football Club (hereinafter referred to as "the Petitioner") and Accra Young Wise Football Club (hereinafter referred to as "the Respondent") with their supporting attachments and the reports of the match officials.

SUMMARY OF FACTS

CASE OF VISION FC

Vision FC (the Petitioner) on Tuesday, May 9, 2017 protested against Accra Young Wise FC (the Respondent) for causing the abrupt end of their Matchday 12 GN Bank Division One League match played at Zaytuna Park on Sunday, May 7, 2017 in contravention of Article 34(1)(b) of the GFA General Regulations and Article 66(1) of the GFA Disciplinary Code.

The case of the Petitioner was that around the 49 minute of the match, the supporters of Accra Young Wise FC started throwing missiles/stones and other objects at match officials and the bench of Vision FC. According to Vision FC, in the 78th minute of the match, the throwing of the objects became so intense that one of the stone hit Assistant 1 and cut him on the head with blood oozing out. The Petitioner continued that the behaviour of the home supporters caused the referee to end of the game.

The Petitioner also complained about incidents before the start of the match.

The Petitioner consequently, prayed that Accra Young Wise FC should forfeit the match and that Vision FC should be declared as winners of the match.

DEFENCE OF ACCRA YOUNG WISE FC

The Respondent in their Statement of Defence to the Protest stated that it was not the behaviour of the fans of the club that brought the match to an abrupt end.

Accra Young Wise FC stated that adequate security was provided for the match and that the General Manager of the Respondent ensured that no one was physically harmed.

According to the Respondent, sports in general and particularly football is characterised by jeers, shouts and sometimes minor incidents. The club added further that it therefore came as a surprise the decision of the match officials to call off the match because to the club the security men were in control of affairs.

The Respondent further stated that it was only in one isolated incident of an object hitting the Assistant 1 and that the match could have continued after the medical team had attended to him. The Respondent added that per Article 19(8) of the General Regulations, the forth referee could have taken the place of Assistant 1 to continue with the match. The Respondent referred to the Decision of the Disciplinary Committee in the case of Home Stars FC(now Inter Allies) vrs Kade Hotspurs dated December 21, 2006.

The Respondent also stated that the claims of the Petitioner concerning incidents before the match were not supported by any evidence and that same should be dismissed. The Respondent subsequently urged that the Committee to dismiss the protest and order a replay of the match.

REPLY OF VISION FC

In Vision FC Reply to the Statement of Defence, the club stated that the culprit is a known supporter of Accra Young Wise FC and that the incidents continued after the incident.

The Petitioner stated further that the home officials could have prevented the incident. Finally, Vision FC stated that the club stand by its statement of case.

FINDINGS AND GROUNDS OF THE DECISION

The Petitioner stated that the Respondent should suffer forfeiture for violating Article 34(1)(b) of the General Regulations of the GFA. The Petitioner had alleged that Accra Young Wise FC had caused the abrupt end of the match played between the two teams because supporters of the club threw stones, one of which injured Assistant 1.

The Committee considered all the evidence and finds that the match was progressing until the action of the supporters of Accra Young Wise FC triggered a number of actions and inaction which lead to the abrupt end of the match.

The relevant regulation on this matter is very clear. Article 34(1)(b) of the General Regulations reads as follows:

Article 34(1)(b) ***“A team commits an offence punishable by forfeiture of a match where that team positions itself in such a way as to render the progress of the game impossible or the player(s) or supporter(s) of the team initiates an act responsible for the abrupt end of the match”.***

It is the finding of this Committee that the acts of the supporters of Accra Young Wise FC especially the supporter who injured Assistant 1 led to the abrupt end of the match. Accra Young Wise FC was therefore caught in the web of Article 34(1)(b) of the General Regulations.

The second part of the regulation is very instructive on the subject matter. It simply punishes the club to which the official or the player or the supporter who **initiates** the act responsible for the end of the match belongs to, as highlighted in red below;

“A team commits an offence punishable by forfeiture of a match where that team positions itself in such a way as to render the progress of the game impossible or the player(s) or supporter(s) of the team initiates an act responsible for the abrupt end of the match”.

It is the finding of the Committee from the evidence before it that Accra Young Wise FC initiative the act which led to the abrupt end of the match.

On the case of ***Home Stars FC vrs Kade Hotspurs*** cited by the Respondent, this Committee wishes to distinguish the current situation from that of the said case. It was very clear from the

evidence of the case that “the injury sustained by the centre referee from an unidentified assailant and object” at a time when there was no prior incident from both teams. Same cannot be said in the current situation.

It is also worth noting that the Disciplinary Committee has the right to depart from its earlier decisions. It is the position of this Committee that a club cannot hurt a match official and expect the application of Article 19(8) of the General Regulation for a forth referee to take over his or her duties in a violence situation. Violence cannot be used to trigger the application of the said regulation for that is not the purpose of the regulation.

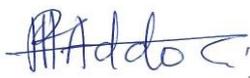
This conduct of the supporter is a subject of a misconduct charge and therefore this Committee shall reserve specific comments about it.

It is therefore our holding that the Protest of Vision FC shall succeed.

DECISIONS

The Committee therefore makes the following decisions:

- 1. That for Accra Young Wise FC initiating the acts responsible for causing the abrupt end of the match, Accra Young Wise FC shall forfeit the match in accordance with Article 34(1)(b) of the General Regulations of the GFA.**
- 2. That having been found to have forfeited the match, Accra Young Wise FC shall be considered as having lost the match in accordance with Articles 34(2) and 34(12) and accordingly, three (3) goals are hereby awarded in favour of Vision FC in accordance with Articles 34(2) and 34(10) of the General Regulation of the GFA.**
- 3. That in addition, being the defaulting club, Accra Young Wise FC is hereby fined Two Thousand and Five Hundred Ghana Cedis (GH¢2,500.00) payable to the GFA, 50% of which shall be paid to Vision FC pursuant to Article 34(5)(a) of the General Regulations of the GFA.**
- 4. That in addition, the defaulting club being the Home Team, Accra Young Wise FC is hereby order to pay an amount of Five Hundred Ghana Cedis (GH¢500.00) payable to the GFA, which shall be paid to Vision FC as their Transportation Cost as the Away Team pursuant to Article 34(5)(a) of the General Regulations of the GFA.**
- 5. That in addition, being the defaulting club, Accra Young Wise FC shall lose three (3) points from the club’s accumulated points from their previous matches pursuant to Article 34(5)(a) of the General Regulations of the GFA.**
- 6. That the fines mentioned in Decisions 3 and 4 above, shall be paid to the GFA within fourteen (14) days upon receipt of this Ruling, failing which Accra Young Wise FC shall forfeit their subsequent matches after the said deadline in accordance with Articles 39(8)(b) and 39(8)(d) of the First Amendment to the GFA General Regulations.**
- 7. That should any party be dissatisfied with or aggrieved by this Decision, the party has within three (3) days of being notified of this Ruling to appeal to the Appeals Committee of the Ghana Football Association (See Article 37(11) of the General Regulations of the GFA).**



**Prosper Harrison Addo, Esq.
Chairman, Disciplinary Committee (A)
Thursday, May 18, 2017**