

DECISION OF GFA APPEALS COMMITTEE IN RESPECT OF THE CONSOLIDATED CASES BETWEEN PACIFIC HEROES FC VRS NZEMA KOTOKO FC AND THE SUBSEQUENT APPEAL BY PACIFIC HEROES FC AGAINST THE DECISION OF THE DISCIPLINARY COMMITTEE OF THE GFA IN RESPECT OF THEIR DIVISION ONE LEAGUE MATCH BETWEEN PACIFIC HEROES FC AND NZEMA KOTOKO FC PLAYED AT THE AZULENOANU PARK - MATCH DAY 25.

DATE: 22ND JULY, 2021.

COMMITTEE MEMBERS PRESENT

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|------------------------------|----------|
| 1. Felix H. G. Anyinsah Esq. | Chairman |
| 2. David Asumda | Member |
| 3. Frank Addo | Member |
| 4. Eva Okyere | Member |
| 5. Mabel Aku Banaseh | Member |

CONSOLIDATION OF THE TWO PROTEST CASES

The two clubs, Pacific Heroes and Nzema Kotoko FC protested against each other in relation to the same match (the matchday 25 Division One League match). The Disciplinary Committee has therefore consolidated the two protest cases and hereby provides its in respect of the two protest cases as follows

PROCEEDINGS

In accordance with Article 56 of the GFA Statues (2019) and Article 35(9) of the GFA Division One League Regulations this Disciplinary Committee (hereinafter referred to as "the committee") considered:

- a. The depositions from Pacific FC (Petitioner) and Nzema FC (Respondent) in respect of the protest filed by Pacific Heroes against Nzema Kotoko FC
- b. The depositions of Nzema Kotoko (Cross-Petitioner) and Pacific Heroes (Cross-Respondent) in respect of protest filed by Nzema Kotoko FC against Pacific Heroes FC

With all the supporting attachments, the reports of the match officials and the video of the match

SUMMARY OF FACTS

CASE OF PACIFIC HEROES (PROTEST BY PACIFIC HEROES FC)

Pacific heroes FC (the petitioner) protested against Nzema Kotoko FC (the respondent) for generating an atmosphere of insecurity which affected the performance of the match officials and the hold-up leading the end of the match between two sides in breach of Article 34(3a), (3b)and (3c) and 33(b) and 33(c) of the Division One League Regulations

The petitioner listed the following as breaches of the GFA Division One League Regulations and the GFA Disciplinary Code:

1. That the kick-off of the same game was delayed for about 10 minutes because of the violent intrusion of the home fans into the entrance into of the inner perimeter
2. That after we scored the first goal against the home team their fans started verbal intimidation towards us and the match officials and sustained this
3. That the chants of penalty by the home fans anytime the ball entered our 18 yard box induced the match officials to award two dubious penalty decisions in favour of the home team
4. That our players led by the captain appealed to the lineman for a review of the second penalty decision (as described in page 1) which he obliged same and prevailed on the middle referee to rescind his decision but he said he cannot do so
5. That this confusion among the match officials created a temporary hold up
6. That the fans of the home team who sprayed various concoctions on the pitch at the beginning of the game and during the break turned uncontrollably violent hurling verbal threats at our players and pelted solid objects onto the field of play
7. That the granted the fact that there were only 3 uniformed policemen who struggled to control the fans that invaded the inner perimeter earlier could not bring the violent fans under control
8. That our plays in fear of their lives in this atmosphere of insecurity had to take cover in the dressing room
9. That our players returned to the field of play hen calm was restored
10. That the referee failed to resurrect the game following the dead ball situation after whistling for the disputed penalty
11. That the referee whistled for the end of the game after 90 minutes with the scores standing at one goal apiece

DEFENCE OF NZEMA KOTOKO FC

The respondent in their statement of defence to the protest stated that Nzema Kotoko FC did not cause or is not responsible for the abrupt end of the game. The Respondent further stated that Pacific Heroes FC did not attend the match Coordination meeting to know the security arrangement put in place by the District FA and the home team

It is the case of the Respondent that the Petitioner reported for the match at 1:30 pm and were duly inspected by the referees at 2:05pm before both

teams went out for home up till 2:50pm. The respondent added that the extra kick off time is determined solely by match officials and not by any club

The respondent referred to article 18(9) of the Division One League Regulations which provide that the match Commissioner may, if he/she deems it necessary for the security of the referee or the visiting team decide not to have the match played until his/her instructions are carried out but once the match is started it is exclusively the prerogative of the referee to suspend or end the match of any of the reasons in Law 5 of the Laws of the game

Nzema Kotoko FC stated that they will rely on the reports of the Referees, Match Commissioner and the GFA cameraman for the said match to ascertain whether the abrupt end of the match was caused by insecurity or behaviour of the home fans

The respondent prayed the Disciplinary Committee to invoke article 33 1(a&b) to award Nzema Kotoko FC three points and three goals and declare Pacific Heroes as losers of the day 25 game between the two sides

CASE OF NZEMA KOTOKO FC (CROSS PROTEST BY NZEMA KOTOKO FC)
The Cross Petitioner Nzema Kotoko FC protested against Pacific (cross Respondent) for walking off the pitch in the second half of the Division One League matchday 25 game after the referee awarded a penalty to Nzema Kotoko FC contrary to article 33(1)(a) and (b) of the Division One League Regulations

According to the cross petitioner the referee awarded Nzema Kotoko FC a penalty after a striker was hacked down in the penalty box of Pacific Heroes FC. The cross petitioner further stated that the players and the officials of the away team protested after which they walked off the pitch. The cross petitioner added that after waiting for over 30 minutes the referee whistled to bring the game to an end.

The Cross-Petitioner thus prays the Committee to award three points and three goals in favour of Nzema Kotoko FC. The Cross Petitioner also prays the Committee to declare Pacific Heroes FC as losers of the said match and to apply all sporting sanctions against Pacific Heroes FC for bringing the game into disrepute

DEFENCE TO PROTEST BY PACIFIC HEROES FC

Pacific Heroes FC (the cross Respondent) in their statement of defence to the protest stated that the claim that the players and the officials of Pacific

walked off the pitch is untenable. The Cross Respondent stated that the violent conduct exhibited by fans of the home team created an atmosphere of insecurity. The Cross Respondent added that the inadequate security men at the stadium had a difficult time controlling the fans who had besieged the entrance of the inner perimeter.

It is the case of the Pacific Heroes FC that their substitutes were held from sitting on the bench and were in fear which gave them no option but to seek safety and to protect their lives. The Cross Respondent also stated that there was little the match Commissioner could do to salvage the situation.

The cross respondent elaborated on how the Nzema Kotoko FC breached Article 33.3(a,b&c) the home sprinkled various concoctions and powder on the pitch before the start of the game and half time

The cross petitioner further stated that the fans of the home team kept shouting that " we will kill you today", " we will bury you today". It is the case of Pacific Heroes FC that the match did not continue following the disputed penalty (second of the day) as their equalizer resulted from a similar disputable penalty decision (refer to the match video)

It is the case of the cross respondent that the match officials were stricken with fear and could not have continued the match when the Pacific Heroes FC players returned to the field of play. The cross respondent attached 16 photos of incidents from the match venues, a protest precedent involving Legon Cities FC and Dwafts FC, a GBS news extract and referred the Committee to the video recording of the said match

FINDINGS AND GROUNDS OF THE DECISION

It is very clear from the foregoing that the two protests are the opposite of each other in terms of the content of the Statement of the case and the Statement of Defence vice versa in both protests. The Committee finds as the follows from the match reports and the video of the match:

REFEREES REPORT

1. The referee stated that during the match, the Coach of Pacific Heroes FC (Petros Koukouras) told the 4th officials that they will stop or end the game because of the referee was not being fair to them
2. The referee added that in the 61st minute Coach Petros Koukouras of Pacific Heroes FC instructed their players to leave the field of play and went into their dressing room including the team officials after the penalty has been awarded against them

3. According to the referee they later returned to the field on or about the 87th minute and reported to the match Commissioner that they will play the match only after the referee changes his penalty decision
4. The referee added that the match officials and players of Nzema Kotoko FC were on the field of play till 90+2 minutes before whistling to the end of the match

MATCH COMMISSIONER'S REPORT

1. The referee's report indicated that Pacific heroes FC were not satisfied after the referee awarded a penalty decision to the home team, so the players led by the captain rushed on the referee
2. According to the report, in the 64th minute the Head Coach of Pacific Heroes FC (by name Petros Koukouras) and one Leslie Boahene a technical team member instructed all their players and their entire technical team members to leave the field into their dressing room and lock themselves.
3. The report further stated that Pacific Heroes FC later came back in the 87th minute and Leslie Boahene a technical team member reported to the referee that they will only continue the game only if the referee rescind his penalty decision against

EVIDENCE FROM OFFICIAL VIDEO

1. From the match video, a player was fouled in the penalty box and penalty was awarded
2. It is very clear that the players and officials of Pacific Heroes FC were unhappy after the Referee awarded a penalty to the home team
3. It was found in the video that the coach and an official of the away team ordered the players and technical team members to leave the pitch and the inner perimeter
4. The Committee also found that an official of the away team returned to the inner perimeter and had an interaction with the Match Commissioner
5. It was also confirmed that after waiting for the away team for the stipulated time, the referee whistled for the end of the match

Both cases raised the issue of forfeiture for a violation of article 33 1(a) (b) and (c) of the GFA Division One League Regulations. The relevant articles state that

- A team commits an offence punishable by forfeiture of a match where:
- a. That team walks off the field of play or refuses to continue play
 - b. That team positions itself in such a way as to render the progress of the game impossible or the player(s) or the supporter(s) of the team initiates an act responsible for the abrupt end of the match
 - c. The teams lateness without just cause, renders continuation of the match impossible or renders it impossible for the match to travel the full 90 minutes

The Committee agrees that the Pacific heroes FC walked off the field of play or refused to continue play after the referee awarded the penalty to Nzema Kotoko FC

Again by walking off the field of play Pacific Heroes FC is deemed to have initiated acts responsible for the abrupt end of the match. Also, by walking off the field Pacific Heroes FC rendered it impossible for the match to travel for the full 90 minutes.

On the issues of security raised by Pacific Heroes FC it is clear that it is only the match Commissioner who must determine the level of security for a match and order any instructions for the home club to carry out before the sanctions the start of the match

However once the referee starts the match it is only the referee who can suspend or end the match. It must be noted that the purposed lack of security or the inadequate thereof as stated by Pacific Heroes FC does not lead to forfeiture of a match

The video of the match did not indicate the breakdown of the security as described by Pacific Heroes FC

Therefore in the instant circumstances it is the position of the Committee that the decision Pacific Heroes FC to walk off the field of play lead to the abrupt end of the match.

DECISIONS

The Committee therefore makes the following decisions:

- 1. That it is the holding of this Committee that the protest of Pacific Heroes FC is dismissed**
- 2. That it is the holding of this Committee that the protest of Nzema Kotoko FC shall succeed**
- 3. That for Pacific Heroes FC initiating the acts responsible for causing the abrupt end of the match Pacific Heroes FC shall forfeit the match in accordance with Article 33(1)(b) of the Division One League Regulation**
- 4. That having been found to have forfeited the match Pacific Heroes FC shall be considered as having lost the match in accordance with article 33(2) and 34(12) and accordingly, three points and three goals are hereby awarded in favour of Nzema Kotoko FC**
- 5. That in addition, being the defrauding club, Pacific Heroes FC shall lose three points from the clubs accumulated points from**

- their previous matches pursuant to article 33(5)(a) of the Division One League Regulations
6. That in addition, being the defrauding club, Pacific Heroes FC is hereby fined Two Thousand and Five Hundred Ghana Cedis (GHC2,500.00) payable to GFA, 50% of which shall be paid to FC pursuant to Article 33(5)(b) of the Division One League Regulations
 7. That the fines mentioned in decisions 4 and 5 above shall be paid to the GFA within fourteen (14) days upon receipt of this ruling, failing which Pacific Heroes FC shall forfeit their subsequent matches after the said deadline
 8. That should any party be dissatisfied with or aggrieved by the decision, the party has within one (1) day of being notified of this ruling to appeal to the Appeals Committee of the Ghana Football Association

DECISION OF THE APPEALS COMMITTEE.

Having considered all the facts and Regulations of the GFA Division One League, the Appeals Committee uphold the decisions of the Disciplinary Committee dated 5th July, 2021.

The Appeals Committee affirms the decision of the Disciplinary Committee.

FELIX H. G. ANYINSAH

1. DAVID ASUMDA

2. FRANK ADDO

3. EVA OKYERE

4. MABEL AKU BANASEH


CHAIRMAN

MEMBER

MEMBER

MEMBER

MEMBER