



**IN THE DISCIPLINARY COMMITTEE
GHANA FOOTBALL ASSOCIATION**

Misconduct Case: No. M 31–2020/21

PANEL

- | | |
|----------------------------------|--------------------|
| 1. Osei Kwadwo Adow (Esq.) | - Chairman |
| 2. Ms. Carla Olympio (Esq.) | - Vice Chairperson |
| 3. Lorraine Crabbe Ababio (Esq.) | - Member |
| 4. Emmanuel Nikoi | - Member |
| 5. Nurudeen Alhassan | - Member |
| 6. Elsie Nana Acheampong | - Member |
| 7. Justice Yeboah | - Member |

William Bossman - Secretary

**GHANA FOOTBALL ASSOCIATION vrs. ASHANTIGOLD SC, CLUB OFFICIALS,
PLAYERS AND TEAM OFFICIALS**

-

**IN THE MATTER OF A MISCONDUCT CHARGE AGAINST ASHANTIGOLD SC &
OTHERS IN RESPECT OF THEIR GHANA PREMIER LEAGUE MATCH
AGAINST INTER ALLIES FC AT THE LENCLAY STADIUM**

DECISION ON ASHANTIGOLD SC

(This decision must be read together with the decision on Inter Allies FC)

BRIEF FACTS

On 17th July 2021, Ashantigold SC played Inter Allies FC in the 2020/21 Ghana Premier League Matchday 34 game at the Obuasi Len Clay Stadium. After the match, there were several reports within the local and international football space that the match was fixed to fulfill a correct score of 5 goals to 1 in favor of Ashantigold SC.

The match eventually ended in 7 goals to 0 against Inter Allies FC.

A video extract of the match circulated on various social media platforms showing a player of Inter Allies FC scoring two own goals and also showed a lackluster attitude of players on the field of play.

Sportradar, a Swiss based international company's fraud detection system, a unique service that identifies betting related manipulation in sports globally for a number of leagues through its vast amounts of data, reported that there was strong pre match betting and telltale signs of fraud on the said match.

The GFA Compliance & Integrity Office together with the GFA Prosecutors investigated the matter and in accordance with Article 34(5) of the GFA Premier League Regulations preferred charges against the two clubs and referred Ashantigold SC to the Disciplinary Committee.

CHARGES

Ashantigold SC was charged on three counts.

Count One

The Club was charged for a breach of Article 34(5)(a) of the Ghana Premier League Regulations (2019) for instigating, commanding, and counselling its players to play a fixed match or match of convenience between Ashantigold SC and Inter Allies FC to achieve a result in favor of Ashantigold SC, an act which the club knew or ought to have known at the time of engaging in it to be contrary to the Premier League Regulations of the Ghana Football Association

Count Two

The Club was charged for a breach of Article 18(1) of the GFA Disciplinary Code (2019). That the President and Chief Executive Officer made several calls to one, Emmanuel Nii Amoah to assist the Club to manipulate the match against Inter Allies FC to achieve their desired results, an act which has brought the game of football into disrepute.

Count Three

The Club was charged for a breach of Article 34(6)(d) of the GFA Premier League Regulations, (2019). That both teams did act together with a common purpose to manipulate the match to achieve a desired result, an act which brought the game of football into disrepute.

CLUB OFFICIALS CHARGED

Dr. Kwaku Frimpong, President of Ashantigold SC was charged for breaching Article 27(1)(2) of the GFA Code of Ethics 2019; Article 18(1) of the GFA Disciplinary Code, 2019, and Article 34(5)(a)(b) of the GFA Premier League Regulations 2019.

Emmanuel Frimpong, Chief Executive Officer (CEO) of Ashantigold SC was charged for breaching Article 27(1)(2) of the GFA Code of Ethics 2019; Article 18(1) of the GFA Disciplinary Code 2019 and Article 34(5)(a)(b) of the GFA Premier League Regulations 2019.

PLAYERS AND TEAM OFFICIALS CHARGED

The following players and officials of Ashantigold SC were charged for breaching Article 34(5)(a) of the GFA Premier League Regulations:

Player Name	Jersey Number
Stephen Owusu Banahene	4
Dacosta Ampem	7
Frank Akoto	15
Agyemang Isaac Opoku	19
Amos Kofi Nkrumah	24
Eric Eso	25
Seth Osei	32
Moses Kwame	29
Solomon Afriyie	35

Player charged on three counts

Samed Mohammed – player number 32 of Ashanti Gold SC was charged on three counts for breaching Article 12(1)(b) of the GFA Disciplinary Code 2019; Article 34(6)(d) and Article 34(5)(a) of the GFA Premier League Regulations

Team officials charged for breaching Article 34(5)(a) of the GFA Premier League Regulations

Thomas Duah – Head Coach of AshantiGold SC

Aidoo Gee Ahmed - Team Manager of AshantiGold SC

Players and Officials charged but failed to appear before the Committee

Emmanuel Owusu

Mohammed Bailou

Amos Addai

Emmanuel Owusu

Paul De Vries Asare

Nana Kwasi Darling – Sporting Director

GHANA FOOTBALL ASSOCIATION (GFA) LAWS

Article 34(5)(a) Premier League Regulations, 2019 states:

“any GFA or club official or club, or player or participant of a match who instigates, commands counsels solicits, procures, or in any manner purposely aids, facilitates encourages or promotes the playing of a fixed match or a match of convenience involving his club or involving other clubs, the result of which may in one way or the other affect his club, commits a grievous offence and the offender shall be referred to the Disciplinary Committee for appropriate sanctions”.

Article 34(5)(b) Premier League Regulations, 2019, states:

“for the avoidance of doubt it shall be a misconduct for any club, club official or a player or any participant of a match to offer or to attempt to offer either directly or indirectly any consideration whatsoever to

another club, or a player or to any match official, with a view to influencing the results of any match for any club to play a match in a non competitive spirit for the purpose of this rule the determination of the competitiveness or otherwise of a match shall be done by the GFA Disciplinary Committee or Ethics Committee”.

Article 18(1) of the GFA Disciplinary Code, 2019 states:

“anyone who directly or indirectly by an act or omission unlawfully influences or manipulates the course, results or any other aspect of a match or competition or conspires or attempts to do so by any means shall be sanctioned with a minimum 5 year ban on taking part in any football related activity as well as a fine of at least ghc100,000. In serious cases a longer ban period, including a potential lifetime ban on taking part in any football related activity shall be imposed”.

Article 27(1) of the GFA Code of Ethics, 2019 states:

“Persons bound by this Code shall not accept, give, offer, promise, receive, request or solicit any personal or undue pecuniary or other advantage in order to obtain or retain business or any other improper advantage to or from anyone within or outside GFA. Such acts are prohibited regardless of whether carried out directly or indirectly through, or in conjunction with, third parties. In particular, persons bound by this Code shall not accept, give, offer, promise, receive, request or solicit any personal or undue pecuniary or other advantage for the execution or omission of an act that is related to their official activities and is contrary to their duties or falls within their discretion”.

Article 27(2) of the GFA Code of Ethics, 2019 states:

“persons bound by this code shall refrain from any activity or behavior that might give rise to the appearance or suspicion of a breach of this article”.

Article 12(1)(b) of the GFA Disciplinary Code 2019 states:

“Players and officials shall be suspended for misconduct as specified below and may be fined accordingly or at least one match or for an appropriate period of time for unsporting behavior towards an opponent or a person other than a match official”.

Article 34(6)(d) of the GFA Premier League Regulations 2019 states:

“In addition to matters referred to in any other regulation, it shall be a misconduct if a club, Director, official, Referee, Assistant Referee, or Player or member is proved to have done or permitted or assisted any of the following to be done: Commit any offensive act not provided for above or make any offensive statement either verbally or in writing or is responsible for any conduct or any matter which is in the opinion of the Association, ungentlemanly, insulting or improper behaviour or likely to bring the game into disrepute”.

STANDARD OF PROOF

With match fixing or manipulation being a complicated event that is capable of eluding direct investigation Article 35 (3) of the GFA Disciplinary Code states the standard of proof as Comfortable Satisfaction whiles Article 36 of the Disciplinary Code states that the burden of proof rests on the prosecution.

The Court of Arbitration of Sports (CAS) explains the Standard of Proof in sports as ***“not the evidence itself, but that it can prove the facts sufficiently in the eyes of the panel comfortably satisfied that a conduct of a type which undermines the basic premise of fairness upon which all sporting contests are premised actually happened i.e., at a level greater than a mere balance of probability but less than proof beyond reasonable doubt”.***

The CAS opted not to apply the “proof beyond reasonable doubt” standard in certain cases because “comfortable satisfaction” is more prudent than “proof beyond reasonable doubt”, but still more stringent than simple “balance of probabilities”. Comfortable satisfaction lies in between the two, not mere balance of probabilities” (***Diaconu et al, International Sports Law Journal, 2021, 27-46***).

Relying on both the GFA and CAS rules (both consistent with each other) this Disciplinary Committee determined its position on **COMFORTABLE SATISFACTION** and **MEANS OF EVIDENCE** for this case. It also made it clear to the parties that it is not bound to rigidly apply the procedural rules of the normal courts and that its freedom is only limited by the obligation to make sure that the procedural rules comply with the necessity for equal treatment of the parties and the right of all parties to be heard i.e. procedural public policy (*Diaconu et al, International Sports Law Journal, 2021, 27-46*).

In this case of match manipulation or match fixing the Committee was of the view that football competitions seen as natural conduct involves acts such as penalties, goals, fouls, and other conduct otherwise lawful but may be considered illegal. (*Pakruojis at paras 81(i), 91-92*).

The Committee took the view that the search for evidence must call for the following elements among others: evidence for corroboration, consistency of testimonies and justification, behaviors before the match, on-field acts, proof of suspicious behavior on field of play, private meetings, phone calls.

The Committee therefore treated all documents presented and statements made by both clubs, players and the GFA's Investigations Report, Match Commissioner's and Referee's reports as valuable and admissible evidence.

The Committee also took judicial notice of the failure of Ashantigold SC to submit a comprehensive internal investigations report to the GFA Investigations Team even though the club was requested to submit same.

The Disciplinary Code states that Match Reports are presumed accurate. This presumption may only be rebutted with clear evidence.

PRELIMINARY MATTERS

By a letter dated 19th day of July 2021, the GFA Integrity Officer requested a full report on the alleged match fixing from Ashantigold SC as a corporate body.

The club sent a letter dated 21st July 2021 dissociating itself from the allegation of match fixing without any comprehensive internal investigations or investigation report and filed a preliminary submission to the Committee, raising legal objections.

RULING ON PRELIMINARY LEGAL SUBMISSION/OBJECTIONS

The preliminary legal objections filed by Ashantigold SC indicated among others that:

- (1) the jurisdiction of the Disciplinary Committee of the GFA had not been properly invoked in that the procedure for filing a case at the Disciplinary Committee had not been followed.
- (2) the charge sheet did not disclose any identifiable complainant.
- (3) the charge sheet was fraught with duplicity.
- (4) the charges as endorsed on the Charge Sheet were defective.
- (5) in so far as the charges relate to the competitiveness of a match, the Disciplinary Committee had to determine that first before the club could be arraigned before a Committee to answer a charge thereon.

Ashantigold SC further served notice that should the preliminary objection of the club not find favour with the Disciplinary Committee, the club will put the GFA Prosecutor to strict proof of all the charges leveled against the club.

The Disciplinary Committee invoked Article 34(5)(a) of the GFA Premier League Regulations which states:

“Any GFA or club official, or club or player or participant of a match who instigates, commands, counsels, solicits, procures, or in any manner purposely aids, facilitates, encourages or promotes the playing of a fixed match or a match of convenience involving his club, or involving other clubs, the result of which may in one way or the other, affect his club, commits a grievous offence and the offender shall be referred to the Disciplinary Committee for appropriate sanctions”.

The Committee saved the service of notice that, should its preliminary objection not find favor with the Disciplinary Committee it will put the GFA Prosecutor to strict

proof of all the charges leveled against it and ruled against the preliminary legal objection.

On the 25th day of November 2021, the Club filed its defence to the charges.

SUMMARY OF THE PROSECUTION'S CASE

Evidence of the Prosecution

The Prosecution relied mainly on the investigation report titled ***Preliminary Investigation Report in Respect to Ghana Premier League matchday 34 match between Ashantigold SC and Inter Allies FC.***

According to the prosecution after the match, there were several reports within the football space of the match being fixed to fulfill a correct score of 5 goals to 1 in favor of Ashantigold SC. A video extract of the said match circulated on various social media platforms showing a player of Inter Allies FC scoring two own goals as well as a lackluster and uncompetitive attitude of players on the field of play.

The GFA Compliance & Integrity Office opened an investigation into the matter and on the 19th day of July 2021, wrote to both clubs, as corporate entities, to submit a report on the match in relation to the allegation of match fixing.

AshantiGold SC submitted a document short of a full internal investigation report on the 21st July 2021. Inter Allies on the other hand asked for an extension for the club to complete its internal investigations and submitted a comprehensive report on the 22nd July 2021. Statements were requested from players and officials who participated in the match and all of them submitted statements except player Emmanuel Owusu of AshantiGold SC who did not respond to the request.

One Emmanuel Nii Amoah (Volunteer of Inter Allies FC) was also invited to meet the team on three occasions on the 13th, 16th, and 26th days of August 2021. His call records and Mobile Money records were also obtained from the Telecommunications network for analysis.

According to prosecution, during Interrogation, most of the players of Inter Allies FC made comments on hearing that the match was fixed. The players also made

statements of hearing fans of Ashantigold SC chanting a score line of 5-1, when they got to the Obuasi Len Clay stadium.

DEFENCE OF ASHANTIGOLD SC

On the 11th day of November 2021, a written address for and on behalf of the Ashantigold SC was filed by their lawyers with the reason that the written address was a “two-in-one” process.

The Committee took the view that Ashantigold SC had reinvented the wheel by not filing a Statement of Defence before submitting their Written Address. The Written Address was not struck out by the Committee, but it was agreed that Ashantigold SC should file a separate Statement of Defence to give grounds to the Written Address. Eventually, on 25th November 2021, Ashantigold SC as a body corporate filed a defence signed by Mr. Emmanuel Frimpong, the Chief Executive Officer. The Committee took judicial notice of the fact that the Statement of Defence for and on behalf of Ashantigold SC was submitted after lawyers for Ashantigold SC had already cross-examined witness for the Prosecution.

Statement of Defence of Ashantigold SC

- a. Paragraphs 15 – 21 generally denied all the charges and evidence adduced against the club saying that it went into the match in a very competitive mood.
- b. *Ashantigold vehemently denied any relationship between Nii Amoah Gogo and Dr. Kwaku Frimpong and Mr. Emmanuel Frimpong.*
- c. Paragraphs 26 – 27 of the defence attacked the GFA investigation report indicating that it was heavily tilted against the Respondents.
- d. Paragraph 28 of the defence dwelt on its player Seth Osei as not being with any legal representation during the investigation teams’ hearing.
- e. *Paragraphs 29 – 40 mostly placed emphasis on Nii Amoah including the revelation that he is also known as Nii Amoah Gogo an official of Inter Allies FC.*

ISSUE(S): -

Whether or not Ashantigold SC per its officials and or players directly or indirectly fixed, influenced or manipulated the match.

THE LAW AND THE FACTS

DEFINITIONS:

Match Fixing/Manipulation

The Ghana Football Association Disciplinary Code 2019 section 18 (1) states:

“anyone who directly or indirectly by an act or omission unlawfully influences or manipulates the course, result or any other aspect of a match and /or competition or conspires or attempts to do so by any means shall be sanctioned”.

The Macolin Convention Article 3 defines manipulation of sports competition as:

“intentional arrangement, act or omission aimed at an improper alteration of the result or the course of a sports competition to remove all or part of the unpredictable nature of the aforementioned competition with a view to obtaining an undue advantage for oneself or for others”.
(Macolin on Manipulation of Sports Competition)

A commentary on this definition also has it that manipulation does not refer to mere altering the result of a match or competition, but also any manipulation which influences the fair and natural course thereof.

In order to appreciate the evidence, the Committee categorized the thematic hearing as follows:

- a. Evidence on match fixing before the match
- b. Evidence on match fixing during the match

A. EVIDENCE ON MATCH FIXING BEFORE THE MATCH

Metalist, CAS 2013/A/3297 (strict liability for the club).

Metalist was found guilty of fixing prior to the match. The club was confirmed disqualified from the 2013-4 Champions League by UEFA's Appeals Body based on proven fixing for the club.

Evidence of Communications Before the Match

The prosecution revealed that before the match was played and between 12th of July 2021 and 19th July 2021, Dr Kwaku Frimpong called Nii Amoah on two occasions.

Within the same period, Nii Amoah also contacted Dr Kwaku Frimpong 6 times whilst Nii Amoah contacted Emmanuel Frimpong 9 times. The prosecution showed that on 12th July 2021, around 4:57pm Dr Kwaku Frimpong called Emmanuel Nii Amoah and expressed his interest in the match in question.

During the discussions, Dr Kwaku Frimpong offered Emmanuel Nii Amoah an amount of GHc10,000 to manipulate the match to achieve a correct score of 5-1 to advance his betting objective. Dr Kwaku Frimpong then indicated that he will instruct someone (who was later found out to be Emmanuel Frimpong, the CEO of Ashantigold SC) to send the money.

Thereon, Emmanuel Nii Amoah, frequently contacted Dr Kwaku Frimpong to obtain more information on the details of Dr Kwaku Frimpong's interest in manipulating the match. The prosecution provided detailed call records between the parties to support this claim.

The Committee notes that though Dr Kwaku Frimpong and Emmanuel Frimpong, the CEO of Ashantigold SC had stated that they did not know Nii Amoah and has never dealt with him, however the phone records showed that the two Ashgold SC club officials have been in communications with Nii Amoah on a number of occasions as regards the match.

Evidence of Mobile Money Transactions Between the Parties Before the Match

To explain further, prosecution gave evidence regarding a detailed account of call records and mobile money records of Emmanuel Nii Amoah, Dr Kwaku Frimpong (President of Ashantigold) and Isaac Quist (the Mobile Money Merchant).

Prosecution stated as follows: that on the Thursday, 15th July, 2021 around 10:00 am, Isaac Quist, Mobile Money Agent, received an amount of GHC10,000 which was sent in two batches of GHc5,000 within a minute from Prince Kwarteng Mobile Money Merchant in Obuasi.

According to prosecution, Emmanuel Frimpong later called Nii Amoah around 10:23 am to confirm receipt of the money. The money was disbursed from Isaac Quist to Nii Amoah as follows: Isaac Quist sent an amount of GHc2000 on the 15th July 2021 to Nii Amoah. On 18th of July 2021, Isaac Quist again sent an amount of GHc5,000 to Nii Amoah, and another GHc2,194 on the 22nd of July 2021.

Defence from Ashantigold SC

Ashantigold SC denied any relationship between Nii Amoah Gogo and Dr. Kwaku Frimpong and Mr. Emmanuel Frimpong as far as match fixing was concerned but indicated that all the communication with Nii Amoah was in respect of player transfer.

During cross examination, Dr. Kwaku Frimpong and Emmanuel Frimpong admitted communicating with Nii Amoah. However, as part of his explanations, Emmanuel Frimpong admitted exchanging 10 text messages with Nii Amoah, after it was suggested to him that they rather exchanged messages on 43 occasions.

In its general defence, Ashantigold SC revealed that Nii Amoah is not a volunteer with Inter Allies FC but rather an officer of the club.

A reasonable inference from this revelation is that Dr. Frimpong and Emmanuel Frimpong recognized Nii Amoah as an officer of Inter Allies FC, they could act together with.

There were also testimonies from the players of Inter Allies FC that Nii Amoah was always in their company on matchdays including the match in question. That he was on the bus to Obuasi and lodged with them at the same hotel prior to the day of the match.

The Committee notes therefore that the outcome of the relationship between Dr. Frimpong and Emmanuel Frimpong and Nii Amoah eventually manifested even before the match was played.

For instance, the case of prosecution has it that Hashmin Musah (player of Inter Allies FC) stated that Mohammed Zakari (player of Inter Allies FC) told him he saw Richmond Lamptey (player of Inter Allies FC) giving a white paper to Nii Amoah and heard him say that if the match will end with that correct score of 5-1 then he should call the number on the sheet of paper for the person to stake the bet for him.

Yet again, from the findings of the Inter Allies FC report, Richmond Lamptey recounted that Seth Osei in jersey No. 33 for Ashantigold SC enquired from him as to whether the bosses of Inter Allies FC had told them about the 5 -1 scoreline to which answered in the negative.

The Committee is, thus, satisfied that the relationship between Dr. Frimpong and Emmanuel Frimpong and Nii Amoah was not meant for player transfer but rather to fix the match in question.

Evidence of Match Fixing on Arrival of Inter Allies FC at the Stadium

According to the prosecution, on arriving at the match venue, players of Inter Allies FC heard from the chant of the supporters, the 5 – 1 scoreline, much to their surprise.

Further, the Prosecution revealed that, during interrogation, Richmond Lamptey of Inter Allies FC stated that Seth Osei of Ashantigold SC called him at the entrance of their dressing room and asked him that - 'haven't your bosses spoken to you?'.

Fard Ibrahim also stated that Seth Osei asked him the same question twice on the field of play in both halves of the match.

The case of prosecution was that Hashmin Musah (a player of Inter Allies FC), after addressing his teammates about what he had heard that the match had been fixed told his teammates that if they do not play to their best in order to prevent the alleged correct score of 5-1, he will personally act to ruin the bet.

This was supported by Ahoritor Gokel (player of Inter Allies FC) who also said “today we will put sand in their gari” meaning the bet will be ruined.

DEFENCE OF ASHANTIGOLD SC

Ashantigold SC vehemently denied all these assertions by prosecution and attacked its report stating in paragraph 27 of its defense that the report was tilted heavily in favor of Inter Allies FC.

At this juncture, the Committee recounts that when the GFA Compliance & Integrity Officer requested a full internal report on the alleged match fixing from Ashantigold SC, Ashantigold SC failed to send any comprehensive one effectively shutting the door to any efforts to garner some detailed information.

Given this opportunity as of right to a fair hearing which Ashantigold SC failed to take advantage of the committee takes the view that Ashantigold SC is estopped from blaming the GFA investigations Team of any shortcoming in the course of its work.

A mere attack on the GFA investigations report on this matter is baseless.

B. EVIDENCE ON MATCH FIXING DURING THE MATCH

(Asif, CAS 2011/A/2362; Butt, CAS 2011/A/2364. Deliberate under play on the field of play; *Besiktas*, CAS 2013/A/3258.

The CAS appeal arose from a UEFA Appeals Body decision holding Besiktas ineligible for the 2013-4 Europa League based on its officials' involvement in fixing

the 2011 Turkish Super Lig final. Besiktas was found to be directly/indirectly involved in fixing.

The panel noted UEFA's ability to use other decisions to corroborate, supplement and confirm, on a case by case basis.

According to prosecution, on the day of the match, Emmanuel Frimpong and Nii Amoah exchanged text messages 43 times between 3:12pm and 4:57pm during the match, with Emmanuel Frimpong texting Nii Amoah, 21 times. This revelation was supported by a detailed text message records between Emmanuel Nii Amoah and Emmanuel Frimpong.

The prosecution also presented a video of the match showing Hashmin Musah deliberately scoring two own goals in the 77th minute and 80th minute. According to the prosecution this was when the player had become convinced that the match was heading to 5-1 in favor of Ashantigold SC.

Prosecution further indicated that Seth Osei's reaction in the video after the first own goal showed his frustration about the correct score of 5-1 being ruined and this made him really furious.

The video showed the deliberate acts of Danso Wiredu Mensah deliberately giving the ball to the opposing player to score the second and fourth goals.

From Prosecution, Mohammed Zakari (a player of Inter Allies FC), had read in between the lines stated that Danso Wiredu (goalkeeper of Inter Allies FC) was part of the network of individuals and or players who acted to manipulate the match hence his obvious negligence and deliberate acts to allow the goals scored by Ashantigold SC players.

Part of the video showed that Hashmin Musah, Danso Wiredu Mensah and Mohammad Zakari who are from the same club (Inter Allies FC) stood as a front divided to the extent that one of them rendered their side uncompetitive in the match or all of them.

Defence from Ashantigold SC

Ashantigold SC failed to deny or admit the suspicious behavior of Danso Wiredu Mensah (the goalkeeper for Inter Allies) on the field of play. The behavior of Danso Wiredu Mensah strikes at the heart of the defence of Ashantigold SC which says that they played the match in a very competitive spirit.

Ashantigold SC further argued in paragraph 25 of the defence that “at the time Hashmin Musah entered the field of play, the score line was 3–0 and Hashmin coming in as a defender for Inter Allies, what stopped him from ensuring the Ashantigold SC did not score again, if he was on the field of play with an intention to ruin a ‘bet’.

The Committee is satisfied that the goalkeeper of Inter Allies FC let in the two goals on purpose – to fix the match.

Indeed, in a highly competitive match the chances of saving the two goals would have been much higher.

Part of the defence of Ashantigold SC essentially questioned the video asking why “after Ashantigold had scored its five goals Inter Allies did not score one goal to make the score line 5–1 to tally with the alleged fixed score line before Hashmin Musah scored the two own goals”.

APPLICATION

That being the case of Ashantigold SC, the Committee tried to find out whether under circumstances where one opponent, while playing competitively finds the opposing side demonstrating such negligent and lackadaisical approach by allowing in two uncompetitive goals, the match could be considered competitive by association standards.

That being the case of Ashantigold SC, the Committee tried to find out whether under circumstances where one opponent, while playing competitively finds the opposing side demonstrating such negligent and lackadaisical approach by allowing in two uncompetitive goals, the match could be considered competitive by association standards.

Hashmin's two own goals once again, answers the question of whether the match was played competitively. Ashantigold's defence which asked that what prevented him (Hashmin) from scoring two goals for Inter Allies to spoil the alleged bet is highly presumptive and rebuttable. To ruin a bet Ashantigold's thinking cannot tie in with that of Hashmin i.e. to force him to score goals against Ashantigold.

Hashmin had several options opened to him. He could have indulged some unsporting behavior to create goals or penalties against his club. The Committee observes that competitiveness is shown by the posturing of two sides not one and like to the two sides of a coin, it is not one or the other but the two at the same time.

Hashmin's intention to ruin the bet was confirmed by the comprehensive internal investigation report by Inter Allies FC dated 22nd July 2021.

MATCH OFFICIALS REPORTS

The Referee and Match Commissioners' Reports also contained valuable pieces of parallel circumstances that support the case of the prosecution on the video that the match was fixed or manipulated.

In the Referee's report, under the subtitle "Incidents caused by players or team officials", the referee wrote "the two own goals scored by player numbered five (Hashmin Musah) was quite strange, he picked a pass from a teammate and kicked straight into his own goal".

In the Match Commissioner's report under the subtitle, "Incident", the Match Commissioner wrote, "in the 77th and 80th minutes No. 5 (DF) player of Inter Allies Hasmin Musah intentionally scored two quick goals i.e., 6th and 7th goals respectively against his own team when he was not under any pressure. Surprisingly, the technical bench applauded him".

The Committee finds that there is enough corroborated evidence to comfortably satisfy itself that the actions of the plays on the field of play were indicative of a match that was fixed.

EVIDENCE FROM PLAYERS AND OFFICIALS

The underlisted players and officials held the same opinion by testifying that the match was competitively played and they saw nothing indicating that the match had been fixed.

Samed Mohammed was said to have insulted the Inter Allies FC coach for bringing Hashmin Musah into the game to spoil the scoreline.

Player Name	Jersey Number
Stephen Owusu Banahene	4
Dacosta Ampem	7
Frank Akoto	15
Agyemang Isaac Opoku	19
Amos Kofi Nkrumah	24
Eric Eso	25
Seth Osei	32
Moses Kwame	29
Solomon Afriyie	35

PLAYER OF ASHANTIGOLD SC

Samed Mohammed	32
----------------	----

OFFICIALS

1. Thomas Duah - Head Coach of Ashantigold SC
2. Aidoo Gee Ahmed - Team Manager of Ashantigold SC

PLAYERS AND OFFICIAL INVITED BUT DID NOT APPEAR BEFORE THE DISCIPLINARY COMMITTEE

The following officials and players failed to attend the hearing. They were:

1. Emmanuel Owusu – Player

2. Mohammed Bailou – Player
3. Amos Addai – Player
4. Paul De Vries Asare – Player
5. Nana Kwasi Darling – Sporting Director

FINDING(S)

The crucial question at this point is whether the case of the prosecution has been proved. Having inferred from the facts and the corroborated pieces of evidence and of course the whole evidence before it, the Committee finds that:

ASHANTI GOLD FC

1. There is strong evidence that Ashantigold Sporting Club as a legal entity engaged in a fixed match.
2. There is evidence of match fixing before the start of the game between Ashantigold SC and Inter Allies FC.
3. There is strong corroborated evidence of match fixing on the field of play between Ashantigold SC and Inter Allies FC.
4. The GFA Investigation Team did not probe sufficiently into betting so not much was found on betting except snippets of evidence which cannot be linked to any betting system or suspicious betting patterns. **Besiktas, CAS 2013/A/3258. Besiktas directly/indirectly involved in fixing. Lack of clarity on direct/indirect involvement was held to not be fatal as an illegibility determination was not sanctionary in nature.**
5. Match fixing and betting are creeping into if not already present in the Ghana Football league(s).

DR. KWAKU FRIMPONG

There is strong evidence of match fixing between Dr Kwaku Frimpong and Nii Amoah Gogo, defacto official of Inter Allies FC.

EMMANUEL FRIMPONG

There is strong evidence of match fixing between Emmanuel Frimpong and Nii Amoah Gogo.

PLAYERS OF ASHANTIGOLD SC

From the evidence of the players there is strong evidence of match fixing before and during the game.

2. Match fixing and betting is creeping into if not already present in the Ghana Football leagues.

OTHER OFFICIALS OF ASHANTIGOLD SC

From the evidence of Thomas Duah (Coach) and Aidoo Gee Ahmed (Team manager), the Committee find that:

1. There is strong evidence of match fixing

SANCTIONS

1. To protect the sporting integrity of football in Ghana Per Article 18(1) & (2) of the GFA Disciplinary Code 2019, Ashantigold Sporting Club as a corporate entity is sanctioned as follows:

- a. **That at the end of the 2021/22 Ghana Premier League season, Ashantigold SC shall be demoted to the Division Two League in accordance with Article 6(3)(h) of the GFA Disciplinary Code 2019.**
- b. **That a fine of GHc100,000.00 is imposed on Ashantigold SC in accordance with Article 6(1)(c) and Article 6(4) of the GFA Disciplinary Code 2019.**

2. a. The President of Ashantigold SC Dr. Kwaku Frimpong is banned from taking part in any football-related activity for a period of 120 months in accordance with Article 34.5(d)(i) of the Ghana Premier League Regulations 2019 .

b. That a fine of One hundred Thousand Ghana Cedis (GHc100,000) is imposed on Dr. Kwaku Frimpong in accordance with Article 34.5(d)(ii) of the Ghana Premier League Regulations 2019.

3. a. That the Chief Executive Officer of Ashantigold SC Emmanuel Frimpong is banned from taking part in any football-related activity for a period of 96 months in accordance with Article 34.5(d)(i) of the Ghana Premier League Regulations 2019.

b. That a fine of Fifty Thousand Ghana Cedis (GHc50,000) is imposed on the Chief Executive Officer of Ashantigold SC Emmanuel Frimpong in accordance with Article 34.5(d)(ii) of the Ghana Premier League Regulations 2019 .

4. That the Head Coach of Ashantigold SC Thomas Duah is banned from taking part in any football-related activity for a period of 24 months in accordance with Article 34.5(d)(i) of the Ghana Premier League Regulations 2019 .

5. That the Team Manager of Ashantigold SC Aidoo Gee Ahmed is banned from taking part in any football-related activity for a period of 24 months in accordance with Article 34.5(d)(i) of the Ghana Premier League Regulations 2019.

6. That the underlisted players of Ashantigold SC are hereby banned for 24 months each in accordance with 34.5(d)(i) of the Ghana Premier League Regulations 2019.

Player Name	Jersey Number
Stephen Owusu Banahene	4
Dacosta Ampem	7
Frank Akoto	15
Agyemang Isaac Opoku	19
Amos Kofi Nkrumah	24
Eric Easo	25

Moses Kwame	29
Solomon Afriyie	35

- 7. That Samed Mohammed, Player number 32 of Ashantigold SC is hereby banned for 30 months in accordance with Article 34.5(d)(i) of the Ghana Premier League Regulations 2019.**
- 8. That Seth Osei, Player number 33 of Ashantigold SC is hereby banned for a period of 30 months in accordance with Article 34.5(d)(i) of the Ghana Premier League Regulations 2019.**
- 9. That the underlisted players and official of Ashantigold SC who were invited but failed to appear before the Committee are hereby banned for 48 months each in accordance with Article 34.5(d)(i) of the Ghana Premier League Regulations:**
 - 1. Emmanuel Owusu – Player**
 - 2. Mohammed Bailou – Player**
 - 3. Amos Addai – Player**
 - 4. Paul De Vries Asare – Player**
 - 5. Nana Kwasi Darling – Sporting Director**
- 10. That all above-mentioned sanctions shall commence from the 2022-23 League season.**
- 11. This decision shall be communicated to FIFA to be given international application in accordance with the GFA Disciplinary Code and FIFA Disciplinary Code considering that a number of players are now playing in clubs outside the jurisdiction of the Ghana Football Association.**

RECOMMENDATIONS

The following recommendations are aimed at fighting football corruption to protect the integrity of the game:

- a. Since match fixing is complicated and may involve many people particularly in this instant case and where the combination of investigations and adjudication may take some time and the league cannot be stayed and or put it on hold, the Committee recommends that under such circumstances all the teams involved and all players and persons involved or named in the investigation **MUST** be enjoined from participating in any football related activities pending the final determination of the matter.

This is a method that can ensure the promotion of integrity and equal opportunity for all competitors and also constitute the fight against corruption in football in Ghana. In addition, International Transfer Certificates (ITC) must not be issued to players and or officials cited in ongoing cases of match fixing or match manipulation.

- b. Referees and Match Commissioners **MUST** be encouraged to report obvious and suspicious behavior on the field of play since their reports unravel aspects of fixing or manipulation which are difficult to unravel by ordinary investigations. On the contrary when such obvious and suspicious behaviors on and off the field of play go unreported by referees and match commissioners, and match fixing or manipulation is occasioned, they must be included as collaborators or fixers of matches.

For instance, failing to report obvious, deliberate and unsporting conduct such as deliberate own goal(s), lackadaisical attitudes. Such officers must also be a subject of investigations.

- c. In addition to GFA Disciplinary sanctions, match fixing or manipulation **MUST** be made a criminal offence, and anybody natural found to be involved be arrested and prosecuted with the possibility of prison sentence.
 - d. Every club official, player and or participant in football should mandatorily sign the Integrity Declaration Form and deposit it at the Integrity office of the GFA on or before the commencement of any league season to ensure the strict liability rule.
 - e. The GFA must strengthen the Compliance & Integrity Office to enable it monitor both manipulation and illegal betting systems in Ghana.
-



Osei Kwadwo Adow, Esq.
Chairman, Disciplinary Committee
Monday, May 16, 2022