

GENERAL INFORMATION - SEMI FINALS

Background -

Rottenham Rotspur Football Club (“Spurs”) and **Foursenal Football Club** (“FFC”) are two rival clubs competing in the top division of the English Premier League (“EPL”). Being from the same city - London, the two clubs have a storied rivalry that goes back to over a period of 100 years and the fixtures that pit them against each other are highly anticipated by the local English crowd and media alike. The two clubs were scheduled to face each other on 15.01.2022 in a globally televised fixture. FFC had also tied up with the global streaming platform Rhine Prime Video for the 2021-2022 season, with one of the conditions of the deal being that the Rhine Prime Video crew was permitted to cover the FFC dressing room and further be involved with the FFC Ultras i.e., the core fan group associated with FFC to release an exclusive fan view video.

Dispute -

However, during the early hours of 13.01.2022, the Spurs filed a request to the English Football Association (“EFA”) seeking postponement of the game. The Spurs relied on the provisions of the English Premier League Rules (“EPL Rules”) regarding postponement and sought the EFA Board’s approval for the same. The following provision was relied on:

“(i) Where a club has been unable to field 13 outfield players and a goalkeeper for a match due to COVID-19 infections, injuries, illness and/ or those isolating.

(ii) Where the status of a COVID-19 outbreak within a club’s squad remains unclear very close to a match. For example, where there remains a concern that not all COVID-19 infections have been identified and there is insufficient time to resolve that concern before kick-off.

(iii) Where the club does not have sufficient time to safely prepare its players in the lead up to a match. For example, where the UK Health Security Agency has requested the closure of a training ground and suspension of group training following an outbreak during the preparation period ahead of a match.”

On the date of the Spurs’ application, out of their registered roster of players, the Spurs claimed that only 11 outfield players and a goalkeeper were available for selection. The Spurs camp had returned multiple COVID-19 positive results on 12.01.2022, with around 11 players, staff and club personnel having been afflicted by the virus. Therefore, the club had been constrained to shut down its training facilities and suspend group training. Upon considering the Spurs’ application, the EPA Board was of the view that the Spurs would be unable to field a competitive team in the match scheduled against FFC due to a COVID-19 outbreak as represented by the Spurs. Therefore, in light of the aforementioned provisions, the Board was inclined to approve the Spurs’

application. As a result, the game scheduled for 15.01.2022 between the Spurs and FFC was postponed indefinitely.

On 16.01.2022, the Spurs released a public statement which claimed that the players who had tested positive for COVID-19 as per their statement on 12.01.2022 had tested negative and were allowed to resume group training. The Spurs claimed that the results were '*false positives*' and that the players were in fact healthy. The Spurs also stated that the players were asymptomatic, which prompted them to test again on 16.01.2022, prior to their completion of the National Health Service-mandated seven (7) day quarantine period for COVID-19 infected individuals.

The Spurs' statement was met with heavy criticism from the media and fans alike, who accused the Spurs of malpractice and faking positive COVID-19 tests to avoid playing the original fixture against the FFC on 15.01.2022. It was publicly known that the Spurs had 3 senior players unavailable for selection due to their participation in the African Cup of Countries ("**ACC**"), an international tournament that featured the top ranked countries from Africa and that the Spurs' Captain, Hari Khan, was suspended from the fixture due to a red card suspension for violent conduct which he had accrued in the Spurs' previous fixture.

The presence of an unnaturally high number of false positive COVID-19 cases combined with the information that the Spurs were not at full strength prompted such allegations of malpractice as fans and media alike speculated that the Spurs had bypassed the EPL rules for postponement unfairly, merely to avoid facing their arch-rivals with some of their own key players missing due to the ACC and disciplinary suspensions.

The FFC released a public statement on 17.01.2022, condemning the decision of the EPL board to allow the Spurs' request for postponement of the original fixture. The game was scheduled to be played at the Halend Stadium, FFC's home ground, and such postponement also resulted in FFC having to refund the ticket holders and the cancellation of all the scheduled matchday activities and stalls. The FFC estimated their loss from the postponement of the fixture at around £1,000,000. Additionally, London was seeing a surge in COVID-19 numbers and was under threat of a lockdown which would mean that such a postponement could result in the game being played behind closed doors without fans, thereby rendering FFC incapable of recovering the matchday revenue which could have been collected had the original fixture proceeded as scheduled.

The FFC management have filed an official complaint to the EFA, seeking a deduction of points from the Spurs for their actions and a recovery of the financial amount akin to the matchday revenue that would have been generated if the fixture went ahead as scheduled. FFC has also made a request that the fixture be rescheduled only after consultation with the FFC management and

not unilaterally by the EFA. The EFA has requested FFC to initiate mediation proceedings as a first step towards dispute resolution.