

**DISPUTES RESOLUTION AUTHORITY
An Coras Eadrana**

DRA 10/2011

Between

CLG ROS CRE

Claimant

-v-

**CHOISTE CHEANNAIS na gCOMORTAISÍ THÍODRAID ARANN THYUAIDH
CHOISTE EISTEACHTA an CHONTAE THIBRAID ARANN**

Respondents

REASONED AWARD

BACKGROUND

- 1) On the 9th of April, 2011 a 1st Round North Tipperary Senior Hurling Championship Match took place between Roscrea and Templederry Kenyons. Approximately 12 minutes from half time the Referee, Mr Michael Cahill, opted to verify the score at the time by checking his notebook. Upon checking the notebook, he believed he noticed a discrepancy between it and the scoreboard at the venue.
- 2) Evidence was given before the tribunal that the Referees notebook recorded the score as Templederry 0-11, Roscrea 1-09. It appears that at this moment the scoreboard read Templederry 0-12, Roscrea 1-9. At this moment the Referee sent instructions to the scoreboard markers that the scoreboard be changed.
- 3) The game was played out with reliance being placed on the scoreboard, which mirrored the referees noted score. In injury time, what appeared to be an equalising point was

scored by Roscrea and the fixture appeared to end in a draw on a scoreline of, 0-13 to 1-10.

- 4) In the immediate aftermath of the fixture, no objection was taken to the award of the game by Templederry Kenyons under rule 7.10. On the 11 of April, 2011, at a meeting of CCC Coiste Thiobraid Arann Thuaidh, it was agreed the Report of referee, Mr Michael Cahill would be accepted in relation to the final score.
- 5) Templederry Kenyons appealed the said decision to Coiste Eisteachta an Chontae Thiobraid Arann. On the 20th of April, the said committee decided not to proceed with the Appeal. As entitled to pursuant to the T.O., the said committee opted to remit the matter to CCC Cosite Thiobraid Arann Thuaidh.
- 6) It would appear that in the intervening period the referee had submitted an addendum to his match report clarifying his position in the game, and the reasons why he asked for the scoreboard to be changed 12 minutes from halftime. This addendum was submitted by Mr Cahill on the 19th of April. The addendum included the following comments from the Referee, *"..I changed the scoreboard during the second half of the game. I changed it in good faith but it seems I was wrong. I accept that but I cannot recall where I missed the point for Templederry."*
- 7) On the 21st of April, the CCC Cosite Thiobard Arann Thuaidh met to further discuss the fixture, and in particular the addendum to the referees report. The committee accepted the report and awarded the fixture to Templederry.
- 8) It appears that on the 5th of May, an appeal of the matter was heard by Coiste Eisteachta an Chonate Thiobraid Arann. Arising from this appeal it was decided that the appeal of Roscrea would be upheld, and the matter would be remitted to CCC Coiste Thiobraid Arann Thuaidh for reprocessing under rule 7.11(n) T.O.2010. Cosite Eistecahta appeared to conclude that that the CCC had misapplied Rule 6.42 on the basis that the game had been awarded to Templederry without written evidence from the referee to confirm the scoreline.
- 9) The CCC met again on the 9th of May, but felt it was within their competency to award the game to Templederry Kenyons on the basis of the referees report. The matter was

further appealed to Coiste Eisteachta but same failed on the basis that the hearings committee felt that Rule 6.42 had not been infringed by CCC Coiste Thiobraid Arann Thuaidh.

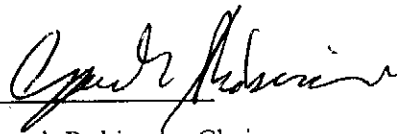
DECISION

- 10) It appears that there were in fact two separate limbs to the appeal to the CHC Thiobraid Arann. However, it is noted that no objection was taken to the result in the immediate aftermath of the match under Rule 7.10. which is surprising given the nature of the claimants case. The First limb appears to be the initial appeal by Tempederry Kenyons to the CHC. It seems as though the referee submitted an addendum to his match report on the 20th of April, and this would appear to be the reason why the CHC opted to remit the matter to the CCC Thiobraid Arann Thuaidh on the 21st of April.
- 11) The matter being remitted to the CCC Thioraid Arann Thuaidh, was now within the Jurisdiction of the said committee. The committee was, therefore, entitled to reconsider the entirety of the matter, and to apply rule 6.42 in a manner it saw fit. The CCC was within its rights to consider the original referees report, in addition to the addendum submitted by referee, Michael Cahill on the 20th of April, 2011.
- 12) It would appear that in the second limb of the appeal of this matter to the CHC Thiobraid Arann, the committee was of the view that Rule 6.42 T.O. was not misapplied on this basis, and indeed the CCC Thiobraid Arann Thuaidh were entitled to consider the Referee's Report in its entirety.
- 13) The Tribunal unanimously finds that neither the CCC Coiste Thiobraid Arann Thuaidh, nor the CHC Thiobraid Arann misapplied Rule 6.42 T.O. in the context of this matter. Furthermore, it is the view of the Tribunal that pursuant to the to rule 6.42 T.O., the

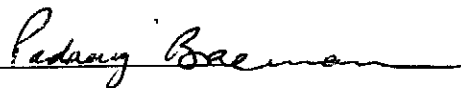
CCC of any particular competition is entitled to consider all relevant evidence and Clarifications when considering the report of a referee in relation to a fixture. Therefore, the Claimants appeal to this Tribunal is dismissed.

14) The Tribunal will accept written submissions in relation to the costs, and expenses of the Tribunal in due course.

This 9th day of February, 2012

Signed: 
Gareth Robinson, Chairman

Signed: 
Cian P. Kelly

Signed: 
Padraig Brennan