

**IRISH FOOTBALL ASSOCIATION
APPEALS COMMITTEE**

In the matter of an appeal by Greenwell Star Football Club against a decision of the Northern Amateur Football League

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In the matter of an appeal by Clonduff Football Club against a decision of the Northern Amateur Football League

Appeals Committee:

Martin Wolfe KC (Chair)

Emma McIlveen

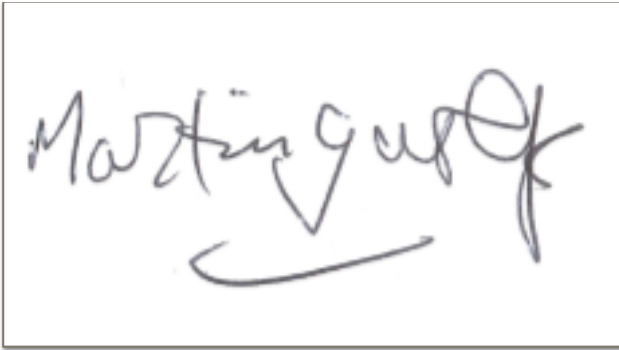
David Lennox

DECISION

1. This is a decision of the IFA Appeals Committee ('the Committee') which was reached following a short hearing which took place at IFA Headquarters on 7 September 2023.
2. The Appellants were each represented by Mr. J. Bryson of JWB Consultancy. The Respondent was represented by Mr A. Fletcher BL, instructed by King and Gowdy Solicitors.
3. Each appeal was directed to and challenged the decisions of the Respondent to refuse the Appellants admission to their League for the 2023-24 season. The Appellants were notified of these decisions on the 18 August. In the case of Clonduff FC, notice of their intention to appeal the decision was served by correspondence dated 21 August; Greenwell Star FC issued their notice by correspondence dated 22 August. In light of the developments referred to below, it is unnecessary to elaborate upon the numerous issues raised by the appeals and helpfully set out in two written submissions prepared by Mr. Bryson, and in the written submission furnished by Mr. Fletcher BL.

4. At the commencement of the hearing the representatives drew the Committee's attention to Article 14(3) of the Articles of Association. They explained that it had been recognised by both parties that there were two distinct pieces of new evidence which had not been adduced to or considered by the Respondent when it made its decision to refuse the Appellants admission to their League. It was acknowledged that having regard to Article 14(3), it would not be appropriate to place that evidence before the Appeals Committee since it is a general rule of this Committee's procedures that we do not receive evidence which has not been considered at first instance. In essence, it was the joint submission of the parties that such is its potential significance and relevance to the issues in dispute, this new evidence should be considered by the Respondent. While we have observed that neither party was making any concession in respect of the matters before us, it was the gravamen of their joint submission that the new evidence could effect the decisions which the Respondent has reached, and which are the subject of these appeals.
5. The Appeals Committee accepted the good sense of the application. Accordingly, and in line with Article 14(6)(e), we would direct that the Appellants applications for admission to the NAFL shall be referred back to the Respondent for fresh consideration, taking into account the new evidence. The Respondent will no doubt be cognisant of all of the issues which have been raised by the Appellants and it will be for the Respondent to determine how best to move forward, and what process to apply.
6. The Committee is also aware that a number of clubs have sought admission to the NAFL for the 2023-24 season. Some have been notified of their admission. The Committee expects that the Respondent, when it considers this fresh evidence and the issues raised by these appeals generally, will also give consideration to the rights of those other clubs to participate in a process which is fair and equitable, and which complies with the Respondent's *policy statement on new teams entry to the League*.
7. Finally, it is the expectation of this Committee that it should be feasible for the Respondent to consider the issues which have now arisen and to complete any new or adjusted process within 14 days of the date hereof.

Dated: 7 September 2023

A rectangular box containing a handwritten signature in black ink. The signature is written in a cursive style and appears to read "Martin Wolfe". Below the signature is a long, horizontal, slightly curved line.

Martin Wolfe KC

On Behalf of the Appeals Committee