

**IRISH FOOTBALL ASSOCIATION  
APPEALS COMMITTEE**

*In the matter of an appeal by Donegal Celtic Football Club against a decision of the  
The Committee of the Ballymena and Provincial League*

**Appeals Committee:**

Martin Wolfe KC (Chair)

Barry Finnegan

Maurice Bradley

**DECISION**

This is a decision of the IFA Appeals Committee ('the Committee') which was reached following a hearing which took place at IFA Headquarters on 20 June 2023. It concerns an appeal brought by Donegal Celtic Football Club ('the Appellant') against a decision reached by the Committee of Ballymena and Provincial League ('the Respondent') as set out in its correspondence to the Appellant dated the 8 June 2023.

Having regard to the reasons set out below, the unanimous decision of the Committee is that the appeal shall be allowed. The Committee has determined that in accordance with Article 14(6)(e) of the Rules, this case shall be referred back to the Respondent in accordance with the directions set out below

**Attendees**

1. The Appellant was represented at the hearing by Mr. Michael Ward, BL, instructed by MacElhatton Solicitors. He was accompanied at the hearing by a number of Club officials, including Owen Baggley (Manager), Paul Delaney (Director of Football) and Sean Loughran (Assistant Manager). The Respondent was represented at the hearing by Mr. Robert Fenton (League Vice Chair).
2. The Committee is grateful for the submissions of both parties, both oral and written.

**The Issue**

3. On the 27 May 2023 the Appellant wrote to the Respondent to ask that an investigation be conducted into the eligibility of a player who had represented Coagh United in

multiple games during the 2022-23 season. The particulars of the Appellant's concern were set out in the following terms:

"Player known as [REDACTED]'s registered on the Comet System with the date of birth as the [REDACTED]. This information is incorrect, his date of birth is [REDACTED]..."

4. The Respondent took steps to investigate the concern raised by the Appellant. It did so by corresponding with Coagh United and the Competitions Department of the Irish Football Association. The conclusions reached by the Respondent following those investigations is summarised in the Respondent's decision letter dated 8 June 2023. This decision letter records the following salient points:
  - a. That a de-duplication process conducted by the IFA led to confusion and records of different players being erroneously merged.
  - b. Nevertheless, "the record showing [REDACTED] DOB [REDACTED] [was].... recorded correctly since he was first entered on the Comet system on the 24.08.2007 up to the present day."
  - c. That Mr Campbell's "registration record when registered by Coagh United on the 01.07.2022 shows his DOB as [REDACTED]"
  - d. Accordingly, it was the decision of the Respondent that "based on the information received from the IFA...that Coagh United do not have a case to answer thus no changes will be made to the League Table or any other Matches that Aaron Campbell has participated in."
5. The Committee considered that the issue to be determined was whether the Respondent was correct to conclude that Coagh United did not have a case to answer.

### **Argument**

6. The parties agreed that on the basis of all of the available information, the correct date of birth for [REDACTED] of Coagh United is the [REDACTED]
7. The bundle of documents received by the Committee included at page 31, a copy of a Registration Form for [REDACTED]. The form relates to his registration with Coagh United with effect from the 2 December 2018, and otherwise bears the date 1 June

2019. The significance of that latter date is not known to the Committee. Importantly the form registers the correct date of birth for Mr Campbell, the [REDACTED] The Registration Form also includes a signed declaration made by Coagh United's responsible official, Ms. Carla Dallas, as well as the player himself.

8. The bundle of documents received by the Committee also included at page 8 an extract from a Registration Form applicable to the period from 1 July 2022. It was the understanding of both parties that this was a copy of a portion of the Registration Form submitted by Coagh United in respect of [REDACTED] for season 2022-23. It recorded his date of birth erroneously as the [REDACTED]
9. We refer to this document as an extract from the Registration Form because the copy made available to the Committee does not contain the sections available for Club and Player signature. In other words, it is not the full form. However, as we have stated, both parties understood that this was a true copy of an extract from the form submitted by Coagh United in respect of this player for the season which has recently concluded.
10. The parties engaged in a degree of speculation in relation to who provided the form for consideration in the context of the Appellant's complaint. To the extent that there was any clarity around this, Mr. Fenton on behalf of the Respondent indicated to the Committee that so far as he was aware the form was in the possession of the Respondent on the 8 June when it reached its decision in respect of the concern raised by the Appellant. The Committee acknowledges that the Registration Form for the period from 1 July 2022 is an important document, and has proceeded on the basis that the document presented to the Committee is a true copy of a relevant extract of the form submitted by Coagh United.
11. On behalf of the Appellant, Mr Ward used his oral submissions to emphasise that fundamentally, it was the responsibility of Coagh United to provide accurate information when registering a player, and that the Club had failed to do so in respect of Mr Campbell's date of birth for the 2022-23 season, and perhaps for earlier seasons. He reiterated the position set out in the conclusion to his written submissions, that having failed to provide accurate information when registering the player, that player was ineligible to play for Coagh United during the 2022-23 season.

12. The Committee asked Mr Fenton to explain how the Respondent reached the conclusion that Coagh United did not have a case to answer, notwithstanding the erroneous date of birth contained within [REDACTED] Registration Form for the period from 1 July 2022.

13. In addressing this question, Mr Fenton highlighted what he described as the “chaos” caused by the merging of some player records, including those of two players named [REDACTED] during the IFA’s de-duplication process in 2019. He pointed out that Coagh United had originally registered the player using the correct date of birth in 2019, and it is unclear whether the Club had been alerted to the problems caused by the de-duplication process. He drew the Committee’s attention to an email sent to the Respondent on the 7 June 2023 by Tracey Scott of the IFA. So far as is relevant to the Committee’s determination Ms Scott explained the following in her email:

“Following a review of our records, we have identified that two individual profiles existed for different players of the same name, [REDACTED] and [REDACTED] and these were erroneously merged back in 1990. Now that we are aware of this information, it is our intention to carry out a process to disconnect the two records...”

14. Mr Fenton indicated to the Committee that it was the content of this correspondence which informed the Respondent’s decision that Coagh United did not have a case to answer as regards the eligibility of [REDACTED]. He contended that the Respondent read Ms. Scott’s email as indicating that it was the IFA’s view that [REDACTED] was “legitimately registered” from the 1 July 2022.

## Findings

15. The Committee finds the Respondent’s explanation to be unsatisfactory, and found no support for it in the email sent to the Respondent by Ms. Scott. The Committee finds that Ms Scott’s explanation did no more than indicate to the Respondent that there had been an erroneous merger of two player records in 2019, which the IFA was now (in 2023) going to address. She did not address the question of Coagh United’s responsibility to provide accurate information on a season by season basis when completing Registration Forms for players it wishes to register. She was not addressing the issue of player eligibility, or the accuracy of the registration details submitted by Coagh

United for the 2022-23 season in respect of [REDACTED] In particular, the email from Ms. Scott did not resolve for the Respondent whether the “chaos” caused by the merger of player records caused or contributed to the failure of Coagh United in July 2022, to provide an accurate date of birth for the player in the extract of the Registration Form viewed by the Committee.

16. Therefore, it was unclear to the Committee how the Respondent could ever have reached the decision set out in its letter to the Appellant dated 8 June. Having regard to the content of the extract of the Registration Form, Coagh United submitted date of birth information which was plainly inaccurate. There is no suggestion that Coagh United was acting otherwise than in good faith when it completed that form, but the form records the [REDACTED] as the date of birth. The Respondent was simply incorrect when it stated in its decision letter that “his registration record when registered by Coagh United on the 1 July 2022 shows his DOB as [REDACTED]” The information provided to the Respondent by the IFA did not establish that the date of birth was correctly recorded on the Comet system from 24 August 2007 “up to the present day.”

17. Section 5 of the Amateur Game Player Registration Regulations Season 2022-23 addresses Amateur Registrations. It provides as sub-paragraph (b):

“All mandatory fields of the Comet FMS must be accurately completed in full before a registration is confirmed...” (emphasis added)

18. Paragraph 3.4 of the Comet ‘Terms and Conditions of Use’ guidance provides as follows:

“Each Registered User undertakes and certifies that it has acted in good faith and taken all reasonable care to ensure that the information entered upon the IFA FMS is clear, accurate, reliable and complete in accordance with the IFA’s requirements.”

19. This guidance resembles the wording of the declaration contained in the registration form itself, which requires the responsible club official to confirm that the information provided in relation to the player “is accurate, correct and corresponds with the details provided.”

20. As we have noted above, Coagh United completed a Registration Form for Mr Campbell in 2018 (or perhaps 2019) which appears to be accurate in all respects. The extract which the Committee has examined for the period from 1 July 2022 is incorrect as regards the player's date of birth.

21. It is generally the responsibility of the Club to provide accurate information as part of the registration process, and the Regulations provide that a registration is not confirmed until the Comet FMS is completed accurately and in full. In this case, the extract from the Registration Form suggests that the Comet FMS was not completed accurately and in full.

### **Conclusions**

22. Accordingly, the Committee upholds this appeal. The Respondent carried out an investigation pursuant to Rule 8(c) of their Rules in response to an expression of concern by the Appellant, and gathered relevant information. However, the conclusions reached by the Respondent in light of the information received are unsatisfactory and cannot stand.

23. On the basis of the information contained within the extract from the 1 July 2022 registration form in respect of Mr Campbell it was not open to the Respondent to conclude that the "registration record when registered by Coagh United on the 1 July 2022 shows his DOB as [REDACTED]" Instead, it is clear to the Committee that the Respondent ought to have found that the registration record when registered by Coagh United on 1 July 2022 showed his DOB as [REDACTED] and that this DOB was not accurate or correct.

24. It is unclear to the Committee whether the difficulties created by the regrettable merging of player records during the IFA's de-duplication process in 2019 created circumstances, perhaps of a technical nature, which could have caused or contributed to the apparent failure of Coagh United to provide an accurate date of birth for the player in the Registration Form relating to the 2022-23 season. That is an issue which the Committee felt unable to resolve in the absence of any evidence, but it is an issue which may be germane to the question of player eligibility. It is certainly an issue in respect of which Coagh United will be entitled to express a view on should they so wish, before the issue of their player eligibility is determined.

25. In any event the principles of natural justice dictate that Coagh United have a right to be heard before any decision impacting their interests is reached. Therefore, the Committee declines to follow the Appellant's submission that it is for this Committee to resolve the eligibility issue and to apply a sanction.

### **Disposal**


26. In the circumstances the Committee allows the appeal, the effect of which is to quash the Respondent's decision of the 8 June 2023.

27. The Committee refers this matter back to the Respondent, and the Respondent is directed to take the following steps:-

- a. To immediately notify Coagh United that it is in possession of information, namely the Registration Form submitted by Coagh United for [REDACTED] for the period from 1 July 2022, which erroneously records his date of birth as [REDACTED] and to ask Coagh United to provide its written observations in respect of the circumstances in which this erroneous information was provided, as well as the eligibility of that player for the 2022-23 season, having regard to its obligation to provide accurate information when completing all mandatory fields of the Comet FMS.
- b. To carry out any such further investigation as may be considered necessary. Without prejudice to the generality of this direction, the Respondent should seek to establish whether the merging of player records during the IFA's de-duplication process in 2019 created circumstances which caused or contributed to the apparent failure of Coagh United to provide an accurate date of birth for the player in the Registration Form relating to the 2022-23 season.
- c. In light of the observations to be provided by Coagh United and the outcome of any such further investigation to be conducted, to determine whether Coagh United has a case to answer with regard to the registration of player [REDACTED] and if appropriate, to convene a hearing to consider the eligibility of [REDACTED]
- d. It is in the interests of all parties to resolve these outstanding matters as quickly as is possible, consistent with due process. It is the expectation of this Committee that it

should be feasible for any hearing which may be necessary to take place within 14 days of the date hereof.

**Dated: 21 June 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". There is a long, horizontal flourish underneath the main body of the signature.

**Martin Wolfe KC**

**On Behalf of the Appeals Committee**