

**IRISH FOOTBALL ASSOCIATION  
APPEALS COMMITTEE**

***In the matter of an appeal by DERGVIEW RESERVES against a decision taken by FERMANAGH AND WESTERN FOOTBALL ASSOCIATION COMMITTEE***

**Appeals Committee:**

Emma McIlveen BL

David Lennox

Carla Dallas

**DECISION**

This is a decision of the IFA Appeals Committee which was reached following a meeting of the IFA Appeals Committee which took place on 18<sup>th</sup> April 2024.

Having regard to the reasons set out below, the unanimous decision of the Committee is that:

1. The appeal shall be dismissed for the reasons outlined below

**Background**

1. This is an appeal brought by Dergview Reserves against a decision of the Fermanagh and Western Football Association Committee/Council taken on the 4<sup>th</sup> April 2024 in relation to a fixture between Dergview Reserves v NFC Kesh, Mulhern Cup Quarter Final which was due to be played on the 30<sup>th</sup> March 2024. The fixture was not ultimately played.

**Points of appeal**

2. Dergview FC raised two key points of appeal:

**1 . Committee Decision "The Management Committee viewed the decision to play the match on the second pitch at Darragh Park constituted a change in venue which was not communicated to the Association or NFC Kesh in accordance with the procedure described in Rule 10 j) parts (i)- (iii)**

It would be the opinion of Dergview FC that this decision is incorrect and is based on an Assumption not Fact. Dergview Reserves registered Darragh Park as their Home Ground on the Mulhern Cup entry form and at no point were we asked to specify which pitch.

**2. Committee Decision — "The decision of the Management Committee is that the match will be rescheduled but will be played at a neutral venue. Accordingly, the game will now take place on Saturday 13th April at the small 3G pitch at the Bawnacre Centre, Irvinestown with a 2.00pm kick-off."**

It would be the opinion of Dergview FC that this decision is incorrect also as we would not view this venue as a Neutral Venue. The Bawnacre Centre, Irvinestown is 20 miles from Darragh Park and 6.5 miles from NFC Kesh. Given local knowledge we are also aware that NFC Kesh would, at times, use this venue for training purposes.

## Findings

3. The Panel carefully considered all information and submissions before it and made the following findings.
4. The Panel were of the view that this appeal involves two key questions:
  1. **Did the second pitch constitute a change in venue?**
  2. **Was Bawnacre a neutral venue?**
5. With regards to the first question, the Panel concluded:
  - a) The relevant rules are as follows:
    - (j)(i) Teams shall only play on an alternative pitch with the permission of the Association Secretary which must be granted for each match so played.
    - (j)(ii) Applications from Teams seeking to play on an alternative pitch must be sent by email to the Association Secretary and copied to the Association Chairman at least seventy-two hours before the appointed kick-off time of a match. Both Teams shall be given at least forty-eight hours notice of a change of match venue.
    - (iii) Teams may also play on an alternative pitch provided that agreement has been obtained from their Opponents and permission has been granted by the Association Secretary
  - b) As currently drafted the rules are confusing. In particular, there is insufficient distinction between alternative pitch and alternative venue
  - c) The decision to play the match on a second pitch did not constitute a change in venue
  - d) However, the decision to play the match on a second pitch did constitute a change in pitch
  - e) As a result of Rule 10(j)(i), teams are required to seek the permission of the Association Secretary to play on an alternative pitch. Such an application must be made 48hours in advance (as required by Rule 10(j)(ii).
  - f) No such permission was sought in this case
  - g) Although the wording of the rules is confusing, the Committee reached the correct outcome in this case**
  - h) It was further reasonable for the Committee to decide that the match should be played at a neutral venue
6. With regards to the second question, the Panel concluded:
  - a) The relevant Rules do not define “neutral venue”
  - b) A common sense approach should be adopted
  - c) The Oxford Dictionary defines neutral as “not supporting or helping either side in a conflict, disagreement, etc.; impartial”
  - d) There was no merit in the argument in relation to location
  - e) There was no evidence that occasional training (if this occurred) impacted the neutrality of the venue
  - f) The reason the location appears to have been selected was because it was a 3G pitch and therefore unlikely to be postponed due to weather
  - g) The Bawnacre Centre was therefore a neutral venue**

## **Recommendations**

7. Going forward, the Panel recommends that Fermanagh and Western Football Association consider amending their rules as follows:
  - a) Clarity around the process where a change in pitch is required (particularly last minute changes)
  - b) Clarity around the process where a change in venue is required (particularly last minute changes)
  - c) Defining what constitutes a change in pitch
  - d) Defining what constitutes a change in venue

## **Conclusion**

8. For the reasons stated herein, this appeal is dismissed and the decision reached by Fermanagh and Western Football Association Committee/Council accordingly stands.
9. For clarity on the consequences of our decision, the Panel is of the view that Fermanagh and Western Football Association Committee should urgently arrange for the match should be replayed at a suitable neutral venue as soon as possible.

**Dated: 18<sup>th</sup> April 2024**



**Emma McIlveen BL**  
**Chair of the Appeals Committee**