

APPEAL – Greenisland FC v Northern Amateur Football League

Appeals Board – John Greer (Chair), Peter Dornan, Ian Beggs

This matter concerns an appeal under Article 14 of the IFA Articles of Association by Greenisland Football Club against a decision of the Northern Amateur Football League (NAFL) made by its League Management Committee on 7th May 2020 setting out the way the league season was to be concluded.

Having considered the papers and in light of ongoing restrictions as a result of Covid -19 the Appeal Board agreed that the matter could be dealt with appropriately by way of paper submissions and further agreed that the Appeal Board could be reconvened if it transpired through discussion that oral submissions would be useful. This was not the case.

The Appellant set out its grounds of appeal along with two further submissions to which NAFL responded. Amongst those submissions various allegations are made and frustrations aired but in essence the Appellant contends that NAFL should have employed a different methodology to conclude the season or should have exercised their discretion based on sporting merit and integrity in a more extensive way and that they should have consulted member clubs in making these decisions. Whilst we intend to restrict ourselves to addressing this central point of contention the parties should rest assured that all of their submissions have been carefully considered.

We do however wish to address the Appellant's complaint that there was delay in dealing with their Appeal (lodged under cover of letter dated 11th May 2020) and that they have suffered prejudice as a result. Whilst it is always preferable and often necessary to hear appeals quickly it is also important to ensure fairness and consistency where the same issues arise and with some of the issues in the Donaghadee arbitration central to the matters under consideration in this Appeal the Chair considered it necessary to leave matters in abeyance pending the outcome of the Donaghadee arbitration. Most importantly the Board are satisfied that the Appellant suffered no prejudice as a result of this decision.

In the absence of the IFA directing how the 2019/2020 should be concluded each league had the authority to adopt their own approach in accordance with their governing rules and regulations. This meant that different leagues adopted different approaches to how the season should be concluded with the effect that clubs in similar circumstances may have experienced different outcomes depending upon which league they belong to. Drawing analogy between leagues is unhelpful as it does not assist the current appeal and only serves to feed a perception of injustice.

Turning to whether NAFL were entitled to act as they did; once it was decided the season should be concluded the Appeal Board are satisfied that NAFL had discretion under Article 19 as to how the season should be ended and could exercise that discretion in whatever way it judged appropriate. NAFL considered their options and they exercised their discretion. That they had the right to do so are principles already established by the Appeal Committee and upheld by an independent arbitrator in the Donaghadee case. Whilst they could have exercised their discretion in any number of different ways which would have led to different outcomes there is no evidence of any irregularity, inconsistency, bias or unreasonableness which would require us to question the exercise of their discretion. Basing a decision on sporting merit and integrity can still lead to a variety of different justifiable outcomes.

Whilst the Appellant would like them to have done so, no evidence is before us that NAFL were under any obligation to consult member clubs on how they exercised their discretion and the appeals Board can see no reason why they should have done so. Indeed as the options were numerous and self interest unavoidable it would have been very difficult. However with such high stakes and high emotions, perhaps with hindsight NAFL may have wished that their communication with clubs was better, but this does not impinge on their right to act as they did. The Appeal is dismissed.

29 October 2020