

IRISH FOOTBALL ASSOCIATION APPEALS COMMITTEE

In the matter of an appeal filed on behalf of Loughgall Youth F.C (hereinafter referred to as the Appellant) against a decision of the Northern Ireland Boy's Football Association (hereinafter referred to as the NIBFA or the Respondent) to sanction a player from Rosario FC's under-16 team with a two-game suspension as a consequence of a dismissal during a game against Killyleagh FC, played on 19th November 2022.

Appeals Board

Mr Barry Finnegan (Vice-Chair)

Ms Emma McIlveen

Mr Stephen Shaw

Decision:

This is a decision of the IFA Appeals Board following a Hearing which took place at IFA Headquarters on Thursday 2nd March 2023. It concerns an appeal brought on behalf of the Appellant against a decision reached by the Respondent's disciplinary committee to sanction a player from Rosario FC's under-16 team with a two-game suspension because of a dismissal during a game against Killyleagh FC, played on 19th November 2022.

It is accepted by both parties that the player in question received a straight red card, on the field of play, during the aforesaid match. According to the match report the referee awarded the red card due to the player in question using foul and abusive language towards the referee.

The Appellant consider that a four-game suspension was warranted in the circumstances, consistent with a suspension received by one of their own Under 14 players who received a red card for a similar offence in a Mid-Ulster knockout cup game on 14th January 2023. The Respondent had elected to apply a two-game suspension to the Rosario under-16 player pursuant to Rule 14.5.2 of the IFA Disciplinary Code for the 2022/23 season as opposed to Rule 18.15.

Having regard to the reasons set out below, the unanimous decision of the Appeals Board is that the appeal shall be dismissed so that the original decision of the Respondent is upheld. Accordingly, the sanction applied to the Rosario under-16 player, pursuant to the aforesaid rule 14.5.2, was properly applied and has taken effect with the player in question having served a two-game suspension. A four-game suspension was not warranted given the offence resulting in the sending off, occurred during the match and was within the parameters established in Law 12 of the Laws of the Game.

Attendees:

The Appellant was represented at the Hearing of this appeal by David Johnston and Noel Robinson, both Committee Members. They each gave evidence to the Appeals Committee. The Respondent was represented by Paul Alexander, Committee Member and Peter McKenna, Disciplinary Officer, both of whom also provided evidence to the Appeals Committee. The Appeals Committee would like to express their gratitude for the helpful and informative manner in which all of the attendees conducted themselves during Hearing.

The Rules at Issue:

This appeal does, in part, concern the interpretation and application of Article 14 (Dismissals for Players & Officials) and Article 18 (Misconduct by Players, Officials or Match Officials (Outside Law

12 of the Laws of the Game)) of the IFA Disciplinary Code and particularly sections 14.4, 14.5.2 and 13.4.5 which stipulate the following:

14.4 *“A player or official who is dismissed from the field of play will be **suspended automatically with immediate effect from the subsequent match**. The Committee may extend the duration of the suspension. The automatic match suspension and any additional match suspension must be served, even if the sending-off is imposed in a match that is later abandoned, annulled, forfeited and/or replayed.”*

14.5.2 A player who is dismissed from the field of play and its surroundings, including the technical area and the substitutes bench for using offensive, insulting or abusive language and/or gestures will be **suspended for an additional 1 match**.

18.15 A player or official who is reported for unsporting conduct towards a match official will be sanctioned with a minimum 4 match standard suspension and a £100 fine imposed on their club

Furthermore Law 12 of the Laws of the Game, as maintained by the International Football Association Board, is of direct relevance in this appeal. This particular law stipulates the following:-

“Sending-off offences

*A player, substitute or substituted player who commits any of the following offences is sent off:
denying the opposing team a goal or an obvious goal-scoring opportunity by a handball offence (except a goalkeeper within their penalty area)*

denying a goal or an obvious goal-scoring opportunity to an opponent whose overall movement is towards the offender’s goal by an offence punishable by a free kick (unless as outlined below)

serious foul play

biting or spitting at someone

violent conduct

using offensive, insulting or abusive language and/or action(s)

receiving a second caution in the same match

entering the video operation room (VOR)”

Facts:

In addition to an examination of the relevant rules and the oral evidence submitted on behalf of the Appellant and Respondent, the Appeals Committee noted the written submissions filed on behalf of both parties.

The Committee has made the following findings following a detailed analysis of the facts available:-

1. Both parties accept that the Rosario under-16 player was dismissed from the field of play on 19th November 2022 due to the use of offensive, insulting and/or abusive language directed at the match referee;
2. Mr Robinson provided evidence on behalf of the Appellant that they considered the Respondent to have erred by failing to take Article 18 of the IFA Disciplinary Code into account when considering the length of the match ban to be served by the Rosario under-16 player because of this dismissal and the reasons associated for the same.
3. It was correctly and appropriately pointed out in evidence by both Mr Robinson and Mr Johnston that Article 18.15 explicitly references “unsporting conduct towards a match official” whereas this distinction is not made in the wording of Article 14.5.2 and hence the Appellant averred that it is the four-game suspension which accompanies the former article (as opposed to the two game suspension which accompanies the latter) which should have applied by the Respondent in the present case;
4. Mr Alexander provided evidence on behalf of the Respondent that the Respondent’s disciplinary committee, upon being notified of the offence committed by the player in the present case and having consulted the referee’s match report via the Comet Registration System, were satisfied that the player was dismissed from the field of play during the match in question;
5. Mr Alexander adduced that in such circumstances the Respondent would deem the suspension to be applied to the player arising from such an offence to be a “1 plus 1” or an automatic two game suspension in accordance with article 14.5.2 of the IFA Disciplinary Code.
6. In accordance with their written correspondence to the Appellant dated 3rd February 2023 both Mr Alexander and Mr McKenna provided evidence that they considered Article 18 of the IFA Disciplinary Code to apply only in relation to offences which arise “outside the open play of the game” and/or following the completion of a match.
7. Upon being asked by the Appeals Committee whether the Respondent had applied suspensions in accordance with Article 18.15 previously Mr Alexander answered in the affirmative but that they felt this would only arise if the incident had occurred off the field of play.
8. Mr Robinson provided evidence that the Appellant could find no reference to Article 18 of the Disciplinary Code only coming into effect in relation to incidents which arose off the field of play or following the match in question. He also referred to two prior examples (not the subject of this appeal) involving the Appellant’s youth players in which the Mid-Ulster

League had applied four game suspensions despite the offences and subsequent red cards arising on the field of play during the matches in question.

9. The Appeals Committee would stress that it is not aware of the specific facts regarding the other examples raised by the Appellant (as per paragraph 8) regarding their own youth team players and the suspensions applied however, if inconsistencies have arisen in the past, it should be noted that Article 18 provides a clear distinction as to when this Article would come into effect when applying a suspension, that is if the misconduct in question arose out of an action which fell outside the scope of Law 12 of the Laws of the Game.
10. In the present case the Appeals Committee is satisfied that the Rosario under-16 player was dismissed for a reason within the parameters of Law 12 in that he used offensive, insulting and/or abusive language. Given the dismissal arose because of misconduct which is clearly defined in Law 12 and does not fall outside the parameters of this law, the Appeals Committee is satisfied that Article 18.15 of the IFA Disciplinary Code does not come into effect based on the facts of this case and hence a four-game suspension is not warranted.
11. The Appeals Committee is not satisfied by the representations made by the Appellant regarding the non-reference to a "match official" within Article 14.5.2 of the IFA Disciplinary Code as being sufficient to override the Respondent's reliance on this article when considering their decision to apply a two-game suspension to the player in question.
12. The Appeals Committee would also point out that Article 18.6 of the Disciplinary Code stipulates that if part of the report (for misconduct) relates to cautions or dismissals of players or officials, that part will be dealt with in accordance with Articles 13 and 14 of the IFA Disciplinary Code.
13. Therefore, on the issue of interpretation of the rules the Appeals Committee finds that the only correct and proper interpretation of Article 14.5.2 and, more pertinently article 18.15, was the one contended for by the Respondent and which underpinned its decision at first instance to sanction the player in question with a two-game suspension, rather than a four game suspension.
14. Having regard to all of the evidence therefore the Appeals Committee finds that no grounds exist to uphold the Appellant's appeal and the same is dismissed accordingly.
15. Accordingly, the sanction applied by the Respondent to the Rosario under-16 player, pursuant to the aforesaid rule 14.5.2, was properly applied and has taken effect with the player in question having served a two-game suspension. A four-game suspension was not warranted given the offence resulting in the sending off, occurred during the match and was within the parameters established in Law 12 of the Laws of the Game.

Dated: 13th day of March 2023. Barry Finnegan, Vice-Chair. On Behalf of the Appeals Board