

## **IRISH FOOTBALL ASSOCIATION APPEALS COMMITTEE**

In the matter of an appeal filed on behalf of Cliftonville 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) who deemed the Appellant to have been the cause of an abandonment of a match played against Castle Juniors under-15s on 18<sup>th</sup> March 2023 and imposed a £200.00 fine in accordance with Article 23 of the IFA Disciplinary Code.

### Appeals Board

Mr Barry Finnegan (Vice-Chair)

Ms Carley Shields

Mr Stephen Keenan

### **Decision:**

This is a decision of the IFA Appeals Board following a Hearing which took place at IFA Headquarters on Tuesday 30<sup>th</sup> May 2023. It concerns an appeal brought on behalf of the Appellant against a decision reached by the Respondent's disciplinary committee who deemed the Appellant to have been the cause of an abandonment of a match played against Castle Juniors under-15s on 18<sup>th</sup> March 2023 and imposed a £200.00 fine in accordance with Article 23 of the IFA Disciplinary Code.

For the purpose of determining the appropriate charge and sanction the Respondent stipulate in their letter to the Appellant dated 25<sup>th</sup> April 2023 that the facts contained in the match official's reports will be presumed to be accurate.

The Respondent's disciplinary panel then considered the position at a meeting held at the National Football Stadium on Thursday 20<sup>th</sup> April 2023 at which time they determined that the Appellant had breached Article 23, imposed a £200.00 fine and referred the result of the match to the National Youth League Committee to decide on the outcome.

The Appellant have appealed against this decision on the basis that they were not given the opportunity to be heard at the aforementioned disciplinary meeting, that they were incorrectly directed to discharge the fine within 5 days and that the Respondent had relied upon a second disciplinary report submitted by the match referee outside the 24-hour time period from when the match was played

Having regard to the reasons set out below, the unanimous decision of the Appeals Board is that the appeal shall be upheld. Accordingly, the Respondent's Disciplinary Committee should convene a new meeting and adhere to the following directions:-

1. The Appellant should be invited to partake in said meeting and make appropriate representations concerning the alleged disciplinary breach;
2. That the Respondent must only rely upon those disciplinary report(s) submitted by Match Officials via the Comet System within 24 hours of the commencement of the match in question;
3. Should the respondent subsequently impose a fine on this Appellant or any other of its constituent clubs, it should direct that the fine, unless challenged or appealed against, must be paid within 14 days from the date of the letter or email imposing the fine unless a payment plan has been agreed with the club as per Article 8.2 of the IFA Disciplinary Code.

**Attendees:**

The Appellant was represented at the Hearing of this appeal by David Begley, Chief Operating Officer who gave evidence to the Appeals Committee. The Respondent was represented by Martin McLaughlin who also provided evidence to the Appeals Committee. The Appeals Committee would like to express their gratitude for the helpful and informative manner in which both attendees conducted themselves during Hearing.

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 Appeals Committee is satisfied that in order to ensure the Appellant's alleged disciplinary breach is dealt with in a fair and just manner, and in accordance with the fundamental principles of natural justice as per Article 1.7 of the IFA Disciplinary Code, the Appellant should be afforded the opportunity to be heard at the Respondent's Disciplinary Meeting and make appropriate representations, before the Respondent reaches their final decision.

The Respondent's decision should also take into account that pursuant to Article 8.5 of the IFA Disciplinary Code, Disciplinary Reports must be submitted by Match Officials via the Comet System at the earliest opportunity following completion of the match and not later than 24 hours after the commencement of the match taking place. Any such report which falls beyond this period is inadmissible from an evidential standpoint.

Having regard to all of the evidence therefore the Appeals Committee finds that the Appellant's Appeal is upheld. The Respondent's original decision, as outlined in their letter dated 25<sup>th</sup> April 2023, is reversed and a new NIBFA disciplinary panel should be convened with an invitation extended to the Appellant to ensure adequate representations can be made on their behalf in relation to the alleged disciplinary breach.

Dated: 4<sup>th</sup> June 2023. Barry Finnegan, Vice-Chair. On Behalf of the Appeals Board