

IRISH FOOTBALL ASSOCIATION APPEALS COMMITTEE

In the matter of an appeal filed on behalf of Seapatrck 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 the Appellant's under-17 team with a five-game suspension as a consequence of a dismissal during a game against Ardstraw Youth FC, played on 25th March 2023.

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 20th May 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 the Appellant's under-17 team with a five-game suspension as a consequence of a dismissal during a game against Ardstraw Youth FC, played on 25th March 2023.

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 assistant manager from the opposition team. The factual circumstances surrounding the dismissal were not challenged by the Appellant.

The Appellant consider that a two-game suspension was warranted in the circumstances and that the offending player had served his two-game suspension. The Respondent had however elected to apply a five-game suspension to the offending player pursuant to Rule 27.2 of the NIBFA Rules.

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 offending player, pursuant to the aforesaid rule 27.2 was properly applied. As the player in question has already missed a total of 2 games he will be suspended for a further 3 matches, occurring in either the 2022/23 season or at the beginning of the 2023/24 season, in order to ensure the totality of the suspension is served. The Appellant must also discharge the £100.00 fine imposed by the Respondent.

Attendees:

The Appellant was represented at the Hearing of this appeal by Stephen Magill, Secretary and Darren McMullan, Chairman. They each 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 all of the attendees conducted themselves during Hearing.

The Rules at Issue:

This appeal does, in part, concern the interpretation and application of NIBFA Rule 27.2 which stipulates as follows:-

“Anyone who offends the dignity of a person or group of persons through contemptuous, discriminatory or denigratory words or actions concerning disability, gender or sexual orientation shall be suspended for a minimum of five matches. Furthermore, a fine shall be imposed. Where the perpetrator is a player a minimum fine of £100 will be imposed on their club. If the perpetrator(s) cannot be identified, the committee may sanction the club to which they are deemed to belong. Clubs may also be required to engage with appropriate training to address the matter at hand.”

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 offending player was dismissed from the field of play during a game against Ardstraw Youth FC played on 25th March 2023 due to the use of offensive, insulting and/or abusive language directed at Assistant Manager of the opposing team as detailed in the referees report;
2. Both Mr Magill and Mr McMullan provided evidence on behalf of the Appellant that they considered the Respondent to have erred when considering the length of the match ban to be served by the offending player as they felt the referee had dealt with the issue on the field of play and the player had received a 2 match ban on the Comet system, which he had already served.
3. It was correctly and appropriately pointed out in evidence by both Mr Magill and Mr McMullan that this initial two-game suspension had been served by the time the Respondent’s letter dated 25th April 2023, confirming a five-match suspension, was received.
4. Mr McLaughlin 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 due to the use of offensive language detailed in the referee’s report.
5. Mr McLaughlin adduced that in such circumstances the Respondent would deem the suspension to be a minimum of 5 games in accordance with rule 27.2 of the NIBFA rules.
6. Mr Magill and Mr McMullan referred to prior examples (not the subject of this appeal) involving other players in the Subway under-18 National League Plates who allegedly used offensive, insulting or abusive language against their opponents and received two game suspensions as a consequence of their dismissals despite the language allegedly deployed appearing to fall within the ambit of rule 27.2.
7. 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) and the suspensions applied however, if inconsistencies have arisen in the past, it should be noted that Rule 27.2 is clearly worded and the reports submitted by the referees in such matches would, in addition

to whatever other evidence may be available, provide adequate clarity as to whether contemptuous, discriminatory or denigratory words or actions concerning disability, gender or sexual orientation were deployed by the offending player(s).

8. In the present case the Appeals Committee is satisfied that the Seapatrick u-17 player was dismissed for a reason within the parameters of Rule 27.2 in that he used contemptuous, discriminatory or denigratory words or actions concerning disability towards the opposing team's assistant manager.
9. Therefore, in accordance with the aforesaid rule, the Respondent is entitled to sanction the player in question with a minimum 5 game suspension as well as a £100.00 fine on the Appellant. As the player in question had already served a two-match suspension by the time written notification was received from the Respondent, he remains suspended for a further three matches in the 2022-23 season, or 2023-24 season. The £100.00 fine imposed on the Appellant by the Respondent also stands.
10. 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.

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