

**IRISH FOOTBALL ASSOCIATION  
APPEALS COMMITTEE**

***In the matter of an appeal by COMBER REC (“the appellant”) against a decision taken by the DOWN AREA WINTER FOOTBALL LEAGUE (“DAWFL”)***

**Appeals Committee:**

Rachel Best KC (Chair)

Barry Finnegan (Vice- Chair)

Rodney McVitty

**The Appellant** was represented by Jamie Bryson, Adam Whitehead (Manager) and Gavin Flack (Club Secretary).

**DAWFL** were represented by Ian Frazer (Chair) and Alan Robinson (Secretary).

**DECISION**

This is the unanimous decision of the IFA Appeals Committee which was reached following a hearing which took place on 14<sup>th</sup> April 2025.

The Appeals Committee are grateful to both parties in relation to the focused and realistic manner in which they approached this appeal. This is to be commended and encouraged. The Appeals Committee is also grateful to the parties in relation to the written and oral submissions made in the course of this Appeal.

Having regard to the reasons set out below, the unanimous decision of the Committee is that the Appellant’s appeal is upheld.

**Relevant Findings of Facts and Background**

1. This appeal arises from a situation where a player of the Appellant’s club was charged under Article 23.2 of the IFA Disciplinary Code. The player and club accept, and continue to accept, correctly, the charge and sanction. The sanction imposed was a fine of £150 and a 12-game ban for the player. The Appellant wished to emphasis in the course of this appeal that they are not contesting this sanction and remain committed to good discipline in football. This laudable approach in the view of the Appeals Committee was correct.

2. The issue before the Appeals Committee arises, as subsequent to the aforementioned, DAWFL applied Rule 13.13.2 and 17.2.2 of its own rules to the Appellant. The rules in question provides that

13.13.2

*“If a Club, player or official is found guilty of Discrimination by the County Antrim FA or Irish FA, the Club will*

- *Be deducted a minimum of 12 points.*
- *Lose the tie 3-0, unless there is a greater advantage in which case the score will stand”*

17.2.2

*“any player, official or Club charged and sanctioned by the County Antrim FA or Irish FA will be deemed guilty by the DAWFL, unless an Appeal is lodged with the Irish Football Association or the County Antrim FA in the manner stated in their rules and appeal upheld. The DAWFL League Council will subsequently apply any further sanctions, as per DAWFL League Rules”.*

3. DAWFL in applying rules 13.13.2 and 17.2.2. deducted 12 points from the Appellant and removed the Appellant from the relevant cup<sup>1</sup> semi – final.
4. The Appellant’s grounds of appeal can be distilled as follows:
  - a. Rules 13.13.2 and 17.2.2. were not valid as the DAWFL due to the applicable IFA Disciplinary Code (that being the accepted relevant body charged with dealing with disciplinary issues).
  - b. The Appellant was being “double charged” for the one offence.
  - c. The sanction was disproportionate and there was “procedural unfairness”.
5. DAWFL approached this matter recognizing that the implications of Rules 13.13.2 and 17.2.2. were *harsh* but they felt that they had no discretion in the circumstances. DAWFL indicated that they were open to any guidance given by the Appeals Committee in relation to this matter. This open and reasonable attitude to such matters is commendable and the Appeals Committee were grateful to the approach taken.

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<sup>1</sup> The Cup in question is the Mervyn Bassett Cup

## Findings

6. The Appeals Committee agrees with the contention advanced by the Appellant that, in light of the IFA Articles of Association, the Disciplinary Committee are the responsible body for dealing with matters of discipline (save as for circumstances where those responsibilities are delegated). In these circumstances, the County Antrim FA were the delegated authority for disciplinary matters.
7. Article 13 (3) of the Articles provides as follows:

*“The Disciplinary Committee will have full powers to deal with all disciplinary matters contained within terms of reference determined for it by the Football Committee together with those matters delegated to it by the Committee under Articles 10.2 and 17, including the publication of a Disciplinary Code”.*
8. The relevant Disciplinary Code came into force on 1 August 2024 and by virtue of 1.2, applies to all disciplinary matters arising from and concerning football under the jurisdiction of the IFA.
9. The Appeals Committee considers that the IFA Disciplinary Committee (Co Antrim FA) are the applicable authority in this matter and that accordingly the DAWFL rules purporting to administer disciplinary sanctions in addition to those from the IFA Disciplinary Committee are not valid.
10. The Appeals Committee wishes to note for the record that it considers DAWFL's intentions to be well placed and admirable in so far as the purpose behind the rules is to eradicate discrimination. Discrimination has no place in modern society and football, which should be for all to enjoy freely. However, in accordance with the aforementioned rationale, the authority for disciplinary matters rests solely with the IFA Disciplinary Committee and accordingly the decision to issue a 12-point reduction and to ban the Appellant from the semi-final must be set aside.
11. The original decision of the Co Antrim FA stands.
12. In light of the finding of the Committee in relation to ground 1 of the Appellant's appeal there is no need to consider the other grounds.
13. The Appellant's appeal is upheld and the decision of DAWFL is set aside.

Dated 16<sup>th</sup> April 2025

Rachel Best KC  
(Chair)