

**IN THE IFA APPEALS COMMITTEE**  
**IN THE MATTER OF AN APPEAL UNDER ARTICLE 14 of the IFA ARTICLES OF ASSOCIATION**

**Between**

**COMBER REC**

**Appellant**

**-v-**

**NAFL**

**Respondent**

**APPEALS COMMITTEE**

Rachel Best KC (Chair)

David Lennox

Peter Clarke

**THE APPELLANT** was represented by Jamie Bryson and Mark Picking Club Manager

**NAFL** were represented by T Pateman Chair League Management Committee and P Causby – Vice Chair

**DECISION**

This is a unanimous decision of the IFA Appeals Committee which was reached following a Hearing which took place on the 8<sup>th</sup> May 2025.

In advance of the Hearing the Appellant helpfully submitted two written submissions and additional evidence that they asserted constituted “new” evidence. Despite being invited to do so, the Respondent declined to submit any written submissions in advance. The Appeals Committee were disappointed with this approach and consider that it would have been useful if the Respondent had submitted the documents in advance to allow proper consideration of the Respondent’s position before the hearing.

## RELEVANT FINDINGS OF FACT AND BACKGROUND

1. This appeal is against a decision of the Respondent notified to the Appellant on 1 April 2024. The decision relates to the “abandonment” of a match between the Appellant and Immaculata 2nds.
2. The Respondent held both the Appellant and Immaculata jointly responsible for the abandonment of a fixture. The outcome was therefore not to award the match to either team. The Respondent also then deducted an additional 3 points and levied a financial fine.
3. The Appellant appeals the aforementioned decision.
4. As outlined in the course of the Hearing the Appellant contended that there were three elements to the decision.
  - a. The first element was that the League decided the outcome to the match.
  - b. The second element was the fact that the League deducted additional points,
  - c. and the third element was that the League fined the Club.
5. It was accepted, realistically, by the Appellant that the League had the power to decide the outcome of the fixture. However, it was contended that there was not a delegated power to impose any additional sanction over and above this. In particular, there was no delegated power to deduct additional points or to fine the Club in question.
6. Under Article 19 of the Disciplinary Code it is provided as follows:

*19.1 If a Club is found to have caused the abandonment of a match it will be sanctioned with a minimum fine of £200.00. The competition organiser will decide on the outcome of the match following the outcome of any disciplinary enquiry into the abandonment.*
7. It was candidly asserted at the Hearing that the Appellant had not appealed the original decision that along with the other club, it was held liable for abandonment in respect of the relevant game.

8. The Appellant contends in this appeal that there is new evidence that requires this first matter to be sent back to the original decision-making body.
9. In addition, the Appellant referred the Committee to the relevant Rules of NAFL, which was said to be Rule 3.11 of the byelaws which provides: *"If a game is abandoned due to indiscipline from one or more of both teams involved then the League Management Committee after due consideration will impose appropriate penalties as outlined in Appendix G to these Rules."*

10. **Appendix G** provides as follows: **ABANDONED LEAGUE GAMES**

- (i) caused by one team- match awarded to opponents and three points deducted, and a fine similar to the amount imposed by the higher disciplinary body will be levied
- (ii) caused by both teams- match void, no points to either team and three points deducted from both teams and a fine similar in the amount imposed by the higher disciplinary body will be levied.
- (iii) Second similar occurrence within the season punishment as for A or B above and three further points deducted and a fine similar to the amount imposed by a higher disciplinary body will be levied.

11. The Committee were also mindful of Article 14) (3) of the Articles of Association which provides as follows:

*An Appeal Hearing shall not be conducted as a Re-Hearing and will not allow evidence which was not previously adduced to the Body which heard in the case in the first instance unless good reason can be shown as to why it was not made available in the first instance. In such case the Appeal Board will refer the case back to the Body whose decision is appealed in line with Article 14 (6)(e).*

12. Article 14 (6)(e) provides as follows:

*The Appeal Board shall have the power to: refer the case or any part of it back to the Body whose decision is appealed against.*

## FINDINGS

13. 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 body responsible for dealing with matters of discipline. In this case the County Antrim FA is the appropriate delegated body administering the Code.
14. The Appellant has urged the Committee not to deal substantively with the first element of the challenge i.e. “outcome of match” point. Indeed, at para 12 of its submissions, the Appellant asserts that the *“AC does not need to substantively assess (i) which would be to review the reasonableness of the Respondent’s first instance decision in respect of deciding the outcome of the match, because there is significant new evidence in the form of the (attached) statement from the referee”*.
15. The Appellant does not make any other argument before the Committee in dealing with that point, save as for the Committee being “deprived of jurisdiction” as they “must remit the matter”.
16. The Committee considers that Article 14 (3) requires, that before it can refer the case back to the body whose decision is appealed the Appellant must show “good reason” as to why it was not made available in the first instance.
17. In this case the new evidence relied upon by the Appellant is an email from the referee in question, dated 5<sup>th</sup> April 2025. The Committee agrees that this is new evidence; however, it does not agree that a “good reason” has been provided by the Appellant as to why this was not available in the first instance. The Committee enquired about the match report and were provided with it by the Appellant. It was considered that obtaining the match report and asking the referee for a report was an obvious step to take and no good reason was advanced as to why that was not sought at the time.
18. The Appeal Committee decline to send this aspect of the decision back to the original decision makers in the circumstances.

19. Turning to the other grounds of appeal; the additional sanctions of a Fine and additional deduction of points

20. The Appeal Committee agrees with the submissions advanced by the Appellant and in particular, that the Respondent does not have the delegated power to impose an additional fine or deduct additional points from the Appellant. The Committee agrees with the contention that the sole responsibility delegated by the Disciplinary Code in this case is to decide the outcome of the match. The fine and additional points deduction are invalid and are therefore quashed.

21. Accordingly, the Appeal shall be upheld in part. In light of this the £100.00 fee shall be returned to the Appellant.

**R BEST KC (Chair)**

**DAVID LENNOX**

**PETER CLARKE**