

## DECISION OF THE BFA APPEALS COMMITTEE



# Decision of the BFA Appeals Committee

Composed of:

Damian Eugene Neville (Chairman)

Vaughan Culmer member

Rudolf Ferguson member

With regards to the appeal hearing of:

**The ruling of the BFA Disciplinary Committee regarding  
Western Warriors Football Club**

Rendered on October, 2025

## Introduction

1. This matter arises from an appeal filed by Western Warriors Football Club (“the Appellant”) against the decision of the Bahamas Football Association (BFA) Disciplinary Committee rendered in April 2025. The following summary of the facts does not purport to include every single contention put forth by the actors at these proceedings. However, the Appeal Committee (the Committee) has thoroughly considered in its discussion and deliberations any and all evidence and arguments submitted, even if no specific or detailed reference has been made to those arguments in the following outline of its position and in the ensuing discussion on the merits.

## Background

2. In early March 2024, the BFA commenced the during the implementation of the FIFA CONNECT Identification and Verification Exercise (“*the FIFA CONNECT Exercise*”). The Bahamas Football Association required player documentation to issue new BFA identification cards in accordance with FIFA’s new requirements for the registration of players in FIFA associated competitions and associations. The Appellant submitted documentation for a player registered under the name ‘*Stevenson Pierre*’.
3. The Appellant was advised by the BFA that the documents submitted for the aforementioned player were deemed deficient because they lacked a date of birth. the Appellant advised the BFA that they had subsequently contacted the player, who produced an outdated Bahamian passport in the same name. This was resubmitted. On 24 September 2024, the same documents were uploaded to FIFA CONNECT. The BFA accepted the Bahamian passport, and issued a valid player BFA identification card in the name of ‘*Stevenson Pierre*’ for league participation.
4. In October 2024, the President of United football club contacted the BFA <sup>1</sup>, alleging that a player for the Appellant was over the age and not even the person identified as playing for the Appellant. The player was in fact named ‘*Butchaer Louis*’, but more significantly, *Butchaer Louis*’ true date of birth rendered him well over the age for the U-18 category<sup>2</sup>.

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<sup>1</sup> the full details of which are not clear from the documents.

<sup>2</sup> the true date of birth was stated in the passport of Mr. Butchaer Louis’

5. A subsequent investigation confirmed that the player's registration was '*falsified*'. It also appears that by virtue of the same, the aforementioned player may have participated in multiple seasons under the false identity.
6. Due to the former '*do-it-yourself*' style of registering under '*Team Snapp*', this Committee is of the view that only the 24/25 season, in which the FIFA CONNECT registration system was put in place is the only season that is being considered by this Committee. The proceeding seasons will not be reviewed, however this period is not insignificant.

#### Decision of the BFA Disciplinary Committee

7. In April 2025, the BFA Disciplinary Committee ruled that there had been a violation of the FIFA Disciplinary Code provisions relating to forgery and falsification. The BFA Disciplinary Committee imposed the following sanctions:
  - 1) The matter is a violation of FIFA Disciplinary Code Article 61 Forgery and Falsification.
  - 2) This Article 61 calls for sanctions to be issued to all parties involved in this violation, the player, the club or association, and club officials.
  - 3) Having reviewed this matter, the decision of the Disciplinary Committee is as follows:
    - 4) The Player – Butchaer Louis be suspended from all footballing activity for a period of three years for submission of fraudulent documentation.
    - 5) The Club – fined an amount of \$4,000 for its role in the registration of the player and his ineligible participation in the U-18 division for the three years mentioned.
    - 6) The club's U-18 team will forfeit all matches played during the three seasons, and as a result, forfeit all trophies and awards presented during that period.
    - 7) Additionally, a two year transfer ban to be placed on the club prohibiting new transfers in for the U-18 Boys and the Senior men's team.
    - 8) Club Administrator be suspended for a period to cover two transfer windows (these being September 2025 and January 2026) and the Club Coach to be suspended from all coaching for a period of one year.

#### The Appeal and Grounds

8. On 19 April 2025, the Appellant lodged an appeal, challenging the decision on both procedural and substantive grounds. The Appellant accepted the player's suspension and the fact that all points won in the games the player participated in will be lost, but contested all sanctions against the Club and its officials. The grounds advanced were:

- The Disciplinary Committee improperly applied the FIFA Disciplinary Code instead of the BFA Rules
- the Appellant contended that if the proper rules had been followed, Article 35 of the BFA Rules governs complaints
- and by virtue of the same disciplinary Code, and as such, the claim should be void ab initio
- Notwithstanding the same, if the FIFA Disciplinary Code (2025);
- No evidence demonstrated that any club officer or coach participated in or was aware of the forgery.
- The Club had relied upon the BFA's approval of documents and therefore could not reasonably be held culpable for the falsification.
- The Disciplinary Committee erred by treating the offence as one of 'forgery', rather than as administrative negligence or fielding an ineligible player.
- The penalties imposed were excessive and disproportionate given the absence of fraudulent intent.
- Pursuant to FIFA Disciplinary Code (2025) Article 25 all relevant factors of the case, including taking into account, both aggravating and mitigating circumstances, any assistance of and substantial cooperation by the offender in uncovering or establishing a breach of any FIFA rule, and the circumstances, degree, guilt and any other relevant circumstances
- discretionary powers, scale down or dispensed with it entirely

#### Preliminary Investigation

9. The Appellant Committee sought the provision of additional information and evidence than that relied on by the Disciplinary Committee, especially after receiving additional information provided by the Appellants in their submissions. As the initial accusations were made by the President of the United football club, a request was made by him to put in writing the events and facts to support the position <sup>3</sup>
10. Accordingly, on 27 July 2025 the President of the United football club (*"the President of United"*) sent a letter to the General Secretary, documenting his account .
11. Due to the manner in which this information was provided to the BFA and in conjunction with the admission from the player to the fraudulent act,, only a summary of the contents of the letter will be referred to.

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<sup>3</sup> This is and the initial provision of information and events preceding it, may be a matter the ethics Committee should consider looking into.

12. The President of United stated that he was aware of the player's age and identity by virtue of the fact that he had taught him many years before at RM Bailey. He also stated that he had spoken with the Appellant's Under 18 Coach about the matter<sup>4</sup> to advise him that the player was too old. It is noted that the President of United only asked the Appellant's Under 18 Coach not to play in the game against his club. This matter had never been brought to the attention of the BFA in any of the proceeding seasons. When the Appellants did play United, the aforementioned player was included in the Appellant's lineup, following which the match was marked with disturbances on the field and off. The President of United alleged that this was as a result of the fact that everyone in the crowd was aware of the aforementioned player's ineligibility.
13. A request was also made for further information into what had taken place with the FIFA CONNECT training, so that the Appellant's statements could be given the appropriate weight with this understanding.
14. Further information was provided by the Deputy General Secretary, Carl R. Lynch. Again, by way of a summation of the letter and what was stated, the crux of the correspondence provided by Mr. Lynch indicated that following a FIFA organized training, a training workshop was arranged for all Bahamian club's administrative staff. Amongst other things the club representatives were taught how to register a player in 'CONNECT'. The training provided the club administrators with an overview of FIFA CONNECT, FIFA's new mandate on registration.
15. The Appellant was provided with copies of the letters mentioned above, to give the Appellant the opportunity to respond to the allegations, and to give the Appellant the opportunity to provide further evidence it wished the Committee to consider. By letter dated 28 August 2025, the Appellant's President advised that no witnesses would be called, and that the Appellant would rely exclusively on the President, who would be accompanied by Counsel, and the documents and correspondence previously submitted.

#### The Hearing

16. The Appellant and the Committee entered into a discussion regarding the grounds upon which sanctions were brought, the evidence, and how the evidence was provided.
17. The Appellant set out their arguments. One discussion was whether or not a new sanction could be placed on the Appellant. As Chairman it appeared that the factual

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<sup>4</sup> 4. many weeks before he had made the complaint

matrix of the appeal raised issues that would support grounds for a less severe sanction that did not require an accusation of fraud. The Appellant, which was within their rights, objected that they have not been provided with notice, and as such the Committee was bound to consider only the sanctions put forward in the Disciplinary Committee's Decision.

18. Notwithstanding the legal arguments put forward in the submissions, and the general representations made at the hearing, the Committee had serious questions regarding the timeline of the awareness, of the Appellant's true identity and age.
19. In their submissions the Appellant stated they first learned of the fraud in April 2025, which was when the BFA formally brought it to their attention. This however, was called into question when the Appellant's President indicated in the hearing that the under 18 Coach had told him what the President of United had said, and that he had subsequently carried out a review of the documents and found nothing to be amiss. The implication being that this information wasn't passed on to the under 18 Coach. From this statement the under 18 Coach would appear to have done what was expected of him.
20. However, the game between the Appellant's and United was in October. If this conversation had preceded the game, the Appellant may have at least had some awareness of the allegations made about the player in question before April, even if the Appellant President's statement regarding knowledge to have been misunderstood to refer to the formal notice from the BFA in April.

### Ruling

21. The Appellants made substantial submissions with regards to procedural irregularity.

#### *The procedural ground*

22. The Appellant argues that the Disciplinary Committee relied on the wrong rules. The Committee improperly applied the FIFA Disciplinary Code instead of the BFA Rules, and by virtue of the same, the claim should be *void ab initio*.
23. The Appellant argues that in addition to using the wrong rules, a reading of Article 35 of the BFA rules, which is in reference to protests and's complaints, indicates that in any case, even if the appropriate rules had been applied, the proper process for making a complaint was not followed.

24. The BFA Statutes provide at Article 55 *Disciplinary, Ethics and Fair Play Committee*, that; ..... *The Council shall issue the Disciplinary and Ethics Code of BFA, which shall be in accordance with the principles laid down in the FIFA Disciplinary Code and the FIFA Ethics Code.*
25. The Bahamian Laws of the Game must at least comply with those stated by FIFA. As stated in *Article 1* in the preamble, the BFA laws and rules are meant to be ‘supplementary’ to those set down by FIFA. All games which are contested under the auspices of the BFA will be played in keeping with the “*Laws of the Game*” as issued by FIFA. Accordingly, the Bahamian Laws of the Game *must at least* comply with those stated by FIFA.
26. Furthermore, Article 35 of the BFA rules would appear to be relevant only to a protest was to be made of offenses ‘*of any kind*’ connected with a [the] match, and the eligibility of players with regards to their participation in a specific match or game. The Appellant however despite their interpretation of the rules surely cannot mean members of the BFA are free to commit acts of forgery unless a protest is made pursuant to Article 35 and a protest filed within its 24 - hour time limit window to make the complaint.
27. In any case, in a situation where the Appellant has admitted that forgery has taken place, it should not fall in their mouth to seek to advance an argument based on a procedural issue, the admitted fraud by the Appellant be set aside as being void ab initio.
28. In the future, the Disciplinary Committee, should follow the laws of the game as specifically stated in the BFA’s laws of the game unless the laws exceed those set down by the FIFA code, or have not been included in the Bahamian rules but clearly apply.
29. The Bahamian Code does not deal with forgery per se. *Article 2* of the BFA laws appears to be the only section that makes provision for acts alleged to have taken place such as the present. Article 2 provides that; “*A player is considered ineligible if: ... registration is not authorized, or was based on false information provided by himself/herself and or his/her club*”. There is no discretion in the Bahamian rules pursuant to which the committee could consider blameworthiness for the falsification, unlike the FIFA Disciplinary Code. *Article 3* of the BFA laws of the game in fact clearly state; “*Responsibilities: [a] Clubs/Affiliates are responsible for the proper registration of all players with the BFA for the respective competition through FIFA Connect*”. Arguably, this would mean that this Article of the BFA’s

Law is more severe than the definition of falsification provided by the FIFA Code, and as such is more than supplementary, but more severe.

30. There is also a reference in the FIFA Code that indicates where there is no provision in the laws of the game provided by an association the FIFA Code should be adopted<sup>5</sup>. It would therefore fall afoul of the provisions of the FIFA Code. Furthermore, it cannot be correct to render a claim or charge as being void ab initio, in circumstances where there have been multiple verbal admissions that forgery has taken place [this is even stated multiple times in the submissions, albeit pertaining to the player in question, solely]. It would appear *late in the game* to submit such an argument in opposition to the charge of forgery. The Committee therefore dismisses the procedural ground of the appeal.

### *The substantial grounds*

31. The substantial grounds as set up by the Appellants for the appeal to be is a set aside are specifically focused on the fact that – forgery, or involvement of some kind - must be shown to have been committed by each alleged culprit, whether it be the player and or the club.
32. The Appellant accepts that the player in question committed forgery, but argued that there was no evidence of any wrongdoing by the Club Administrator, nor the under 18 coach.
33. The basis for the charges by the Disciplinary Committee; are incorrectly stated as being a violation of FIFA Disciplinary Code Article 61.. *Article 61* in fact does not deal with forgery and falsification, but rather Admissibility of appeals. This was clearly stated erroneously in the Disciplinary Committee decision.. The correct Article of the relevant infringement of the Disciplinary Committee adjudicated and handed down punishment for, is *Article 22*.
34. Article 22 provides;

## **22. Forgery and falsification**

- 1. Anyone who, in football-related activities, forges a document, falsifies an authentic document or uses a forged or falsified**

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<sup>5</sup> and the English Laws of the Game's which would appear in our case to be overly arduous.



**document will be sanctioned with a fine and a ban of at least six matches or for a specific period of no less than 12 months.**

**2. An association or a club may be held liable for an act of forgery or falsification by one of its officials and/or players.  
[emphasis added]**

35. Accordingly, pursuant to Article 22[2], the club may also be held liable for an act of forgery or falsification by one of its officials – and/or players. A plain reading of the section indicates therefore that once an act of forgery or falsification has been established, the club may be held liable for the acts of an official or a player.
36. Pursuant to Article 39 of the FIFA Code, evidence, evaluation of evidence and standard of proof shall be to the *comfortable satisfaction* of the competent judicial body. Sanctions for forgery and or fielding an ineligible player have been handed down in several circumstances lately. In one instance, an entire association was sanctioned. In another, the failure to register a player by one minute, a fact brought to FIFA's attention by the club itself, still resulted in a hefty fine. Of the decisions I have found, the most helpful is *Arbitration CAS 2021/A/8344 Aris Football Club & Theodoros Karypidis v. Hellenic Football Federation (HFF), award of 14 June 2022 (operative part of 3 March 2022)*, it was held that;

*While maybe not a formal prerequisite to come to a conviction, an important element for the Panel's conclusion is that it is not convinced of the motive for Aris FC to orchestrate a relatively sophisticated scheme, which includes concluding the Employment Contract which was knowingly not going to be executed and providing a sample HFF certificate to the Player knowing that it would be used to commit fraud, for the relatively limited benefit of registering an amateur player.*

*While the Panel is admittedly not entirely free of doubts, knowing that, as consistently held in CAS jurisprudence, "corruption is, by nature, concealed as the parties involved will seek to use evasive means to ensure that they leave no trail of their wrongdoing" (CAS 2010/A/2172, para. 21 of the abstract published on the CAS website), it finds that, overall and taking into account all the above elements, there is insufficient evidence to establish that Aris FC was an accomplice in the forgery committed by the Player. While the Panel concurs that Aris FC was negligent in concluding the Employment Contract without subsequently officially revoking it and by registering the Player based on a residence permit that he should not have*

*obtained in his situation, this falls short of coming to a conviction of an accomplice to forgery under Greek law.*

37. Admittedly, this decision deals with much more serious matters. It does however speak to what constitutes grounds for sanctioning a player and/or a club for forgery. The decision pointedly speaks to the difficulty making out such a claim, in circumstances where the making out of collaboration in the fraud has fallen short the evidence is such that the panel is not “entirely free of doubts” to its comfortable satisfaction.
38. As pointed out by the Appellant, a reading of Article 22 makes clear that sanctions against all parties at the club are not mandatory, but discretionary.. The Appellant correctly referred to Article 25 of the FIFA Disciplinary Code which allows disciplinary bodies to take into consideration mitigating and aggravating factors including cooperation with the disciplinary committee and lack of any malicious intent. In this case, both are present.
39. It should be clearly stated that there was no evidence presented of any direct knowledge of fraud by the Club President, and the Disciplinary Committee had not made any sanctions against him.
40. Based on how the information provided to the BFA and the Committee, it was greatly anticipated that the Appellant Under 18 Coach would appear to give evidence to either confirm, or contradict the assertions made regarding the aforementioned player. It was accordingly disappointing to discover that the Club President had actually told him not to come, especially in light of the above apparent conflict of the timeline of events and knowledge.
41. Further, even if the Committee was willing to accept that there may have been some confusion in the use of the FIFA CONNECT for the first time; - it was also borne in mind that the player in question; - had been a player at the club for over 2 years. The player could not be denied to be known to the club, - by virtue of the fact that he would have been coached and trained by the club, - attended functions the Appellant would put on for the player’s, - known by his teammates, who also trained, participated in games, and knew the player on and off the pitch. By virtue of the same, it seems incredible that the aforementioned player’s true identity was not known, nor that his fellow players would not have called him by his real name<sup>6</sup> even if a nickname was used from time to time. Additionally, it must be

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<sup>6</sup> it was submitted and training that the aforementioned player was only known by a nickname, being “Bony Bones”

remembered that the true age of the aforementioned player was closer to 22 than 18. In circumstances where it was asserted that the club has a close affinity with their players and having been given notice of the discrepancy in the documents at the time of the registration, by the Pres. of United, it cannot fall in their mouth to now assert that no knowledge was available until April 2025.

42. This was a highly contentious point for the committee. The discrepancy in the timeline cannot be ignored. However in arriving at a decision and taking the character of the Appellant's President into consideration, notwithstanding the glaring inferences to be drawn from the circumstances set out above, in circumstances where there was no direct evidence linking either the Club Administrator, or the Under 18 Coach to the fraud, it cannot be said to the *comfortable satisfaction* of this Committee that the club administrator or the Appellants under 18 coach should be punished as conspirators in the forgery. The Committee does not find there is sufficient, if any, evidence that other than the player, who appears to have made an admission of fraud on his own behalf and no one else implicated, of having knowledge or participated in any fraud.
43. As a result of this hearing, the BFA will be more alert to that such acts are taking place and consider how to deal with the matter. Certainly, neither the BFA or the BFA Disciplinary Committee have expertise in whether a document such as a passport is a legitimate<sup>7</sup>.
44. However, in circumstances where the BFA, when presented with official documentation which subsequently turns out to have been false or presented under false pretenses, the Committee disagrees with the President of the Appellant that the administrative staff, and not coaches, solely bear responsibility. Coaches cannot play Pontius Pilate when they are in a position of care and responsibility for each and every player they manage. They all have a duty of care to players, particularly the young players. However, without speaking with the under 18 coach, neither the Disciplinary Committee nor the Appellant Committee could examine the extent of the breach in the present case. Again, this is most disappointing.

### Ruling

45. The Committee, has made its ruling based on the above and or the evidence and the submissions of the Appellant, which reads as follows;

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<sup>7</sup> the under 18's Coach relayed this information and subsequently, the Appellants re-checked all documents and found nothing irregular. The first 'formal communication' from the BFA arrived on April 1, 2025, by email.

Upon review of the evidence, correspondence, and applicable provisions, the Appeals Committee makes the following orders:

1. The procedural objection concerning jurisdiction is dismissed
2. The finding of forgery and falsification as it relates to the player, Butchaer Louis, is upheld, as are the point reductions for the games in which he played
3. There is no finding of fraud or forgery by the Club Administrator or the Club's Under 18 Coach, it is found however that the Club are deemed to have the responsibility for the accuracy of the registration of their players as matters currently stand; however, the fault is deemed negligent rather than fraudulent.
4. The fine imposed on Western Warriors FC is reduced from \$4,000 to \$2,000.
5. Taking into consideration the mitigating factors, such as the support for the BFA and its related competitions and its successful role in bringing more people to the sport, but also the fact that the Committee is not completely satisfied that the true identity of the aforementioned player was not known by anyone involved with the Appellant or could not have been discovered during the period he was at the club, short of evidence to the contrary;
6. The two-year transfer ban for the senior team is lifted, however the two-year transfer ban for the under 18's is still in place, to give the Appellant an opportunity for a look at their current approach to the registration of players due to the error made in this case
7. The suspensions of the Club Administrator and Coach are lifted.
8. The sanction that the Appellants be forced to forfeit all matches played during the seasons proceeding the 24/25 season, and the return of all trophies and awards presented during that period is respectfully dismissed.

This constitutes the final decision of the BFA Appeals Committee.

Issued at Nassau, The Bahamas – October 2025