

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Dundee United FC

on behalf of

Mathew Cudjoe-Anim.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 20th September 2023 to deliberate this Claim.
2. In the 62nd minute of the Scottish Championship fixture between Dundee United FC and Greenock Morton FC on Saturday 16 September 2023, the player was dismissed from the field of play by the Referee for A2 - Violent Conduct.
3. The Claimants submitted a Claim of Wrongful Dismissal on behalf of the player. In support of this Claim, the club submitted video footage showing the incident in question and written submissions.
4. In order for a Claim of Wrongful Dismissal to be upheld, the Fast Track Tribunal must be satisfied, by way of evidence submitted and upon the balance of probabilities, that the Referee made an Obvious Refereeing Error in dismissing the player.
5. In summary, the Claimant's submission was that the player did not use excessive or indeed non negligible force in the incident which led to the player's dismissal, and that the force used in the challenge was negligible in the circumstances.
6. The Referee provided a statement explaining the act which he had been informed by Assistant Referee 1, was that the player had committed the offence of A2 - Violent Conduct in the form of striking an opponent in the face using non-negligible force.
7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submissions from the Claimants. It also considered the definition from Laws of the Game in relation to A2 - Violent Conduct.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had unsuccessfully demonstrated that an Obvious Refereeing Error had occurred. The player strikes his opponent in the face and from the video evidence available, it was not possible to determine upon the balance of probabilities that the force which the player had used in the incident which led to his dismissal was non-negligible.
9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and original sanction re-imposed.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.