

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A CLAIM OF WRONGFUL DISMISSAL BROUGHT BY:

Kilmarnock FC (the Club)

on behalf of

Kirk Broadfoot (the Player)

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on 25 April 2019 to deliberate this Claim.
2. In the 36th minute of the Scottish Premiership fixture between Kilmarnock FC and Aberdeen FC on 20 April 2019 the Player was dismissed from the field of play by the Referee for Serious Foul Play.
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 moved directly towards the ball with an outstretched leg and there was no lunge involved. The goalkeeper's forward momentum meant a coming together was inevitable but there was no excessive force, no brutality and no endangerment of the opponent by the Player, out with the normal 50/50 challenge of two players for the ball.
6. The Referee provided a statement explaining the act which he decided was serious foul play was by way of the Player lunging at his opponent with his studs showing and making contact with the opponent's face and thus did endanger the safety of his opponent.
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 Serious Foul Play
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had been unsuccessful in demonstrating that an Obvious Refereeing Error had occurred in that neither the written submissions nor the video clips lodged provided evidence of an Obvious Refereeing Error.
9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and original sanction should be re-imposed. The Tribunal did not consider that the failed Claim met any of the conditions set out in Paragraph 13.13.8.1.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.