

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



### IN THE MATTER OF A (WRONGFUL DISMISSAL) CLAIM BROUGHT BY:

**Buckie Thistle FC**

**on behalf of**

**Sam Morrison**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the morning of Wednesday 6<sup>th</sup> October 2021 to deliberate this Claim.
2. In the 90<sup>th</sup> minute of the Scottish Highland Football League fixture; Brechin City FC v Buckie Thistle FC, played on Saturday 2<sup>nd</sup> October 2021, the player was sent off for A4: Denying the opposing team or opponent a goal or goal scoring opportunity.
3. The Claimants submitted a Claim of Wrongful Dismissal on behalf of the player. In support of this Claim, the club submitted video footage of the incident in question and a written submission from the Club Secretary.
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 had not committed a foul in the incident leading to his dismissal. They contended that the player had 'out-muscled' the Brechin City FC attacking player and took possession of the ball. They submitted that the Brechin City FC player did not have control of the ball, which was arching away from goal and they had a covering centre back, so there was no obvious goal scoring opportunity. They also contended that the Brechin City FC Management were close to the action and said post-match it was not a sending off and would assist in an Appeal.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that he had a clear and unobstructed view of Buckie Thistle FC number 4 (Sam Morrison) bringing down the Brechin City FC attacker in an unfair careless challenge. He noted that the Brechin City FC attacker was in possession of the ball about 10 yards outside of the opposing penalty area on the right wing and heading towards goal. With only the goalkeeper ahead of him and no other covering defenders in a position to challenge him, he stopped play, awarded a direct free kick to Brechin City FC, and showed a red card to the player for denying an obvious goal scoring opportunity.
7. The Fast Track Tribunal viewed video footage in real time and slow motion of the incident leading to the dismissal. They also carefully considered the written submission from the Claimant.

Having considered all the evidence, the Fast Track Tribunal decided that the Claimants were unsuccessful in demonstrating that an Obvious Refereeing Error had occurred.

Having reviewed the video evidence submitted by the Claimant the Fast Track Tribunal were unable to agree with the claimant that an Obvious Refereeing Error had occurred.

Sam Morrison, Buckie Thistle FC

From the angle presented, and after a number of viewings, both in real time and slow motion, it was clear that the player had fouled the opposing attacker. They also noted that the Referee had a clear and direct view of the incident from a few yards away. The Fast Track Tribunal did not accept the Claimants view that the covering defender was sufficiently close to the incident to be in a position, had the foul not occurred, to provide cover.

The Fast Track Tribunal were provided with video evidence which gave a single angle view of the incident from some distance.

For a claim to be successful as per the JPP Annex K, section 10.10.4 the Fast Track Tribunal must be satisfied that it is more likely than not, in all of the circumstances of the case, that an Obvious Refereeing Error has occurred. That is the error is 'clear, self-evident or easily perceived' (*glossary JPP*).

The video footage supplied, after multiple reviews, showed a brief coming together of the player and attacker. They did not at any point see the player take possession of the ball. The Fast Track Tribunal noted that the Referee was close to the incident. He had a clear and unobstructed view to determine at the time that this was a foul and a red card offence.

The Fast Track Tribunal noted the Claimants submission that Brechin City FC Management stated post-match it was not a red card offence and were willing to assist in an appeal. No statement was provided by Brechin City FC to this effect to the Fast Track Tribunal.

Based on the above the Fast Track Tribunal were unanimous that the Claimant failed to demonstrate in their submission that the Referee had made an Obvious Refereeing Error resulting in the Wrongful Dismissal of the player.

The Fast Track Tribunal did not believe this to be a frivolous claim, as considered under section 15.9 of the JPP, therefore no further sanction has been imposed.

They noted that the Claimants had supplied a video in excess of 47 minutes long. Were it not for the summary of the incident in question being captured and presented by the Scottish FA, then the Fast Track Tribunal would have struggled to review this case in an expedited manner. The club are respectfully reminded to send footage relevant only to the Appeal in any future cases.