

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Alloa Athletic FC

on behalf of

David McKay.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 20th February 2024 to deliberate this Claim.
2. In the 90th minute of the Scottish League One fixture between Alloa Athletic FC and Cove Rangers FC on Saturday 17th February 2024, the player was dismissed from the field of play by the Referee for A1 - 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's challenge was not out of control, did not endanger the safety of the opponent, and made minimal contact with the opponent.
6. The Referee provided a statement explaining the act which he decided was A1 - Serious Foul Play was by lunging after the ball broke from him, with studs showing, and catching the opponent well above the ankle, endangering the safety of the 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 A1 - 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. The Fast Track Tribunal accepted the Referee's version of the incident, and saw nothing in the video evidence presented to suggest that an Obvious Refereeing Error had taken place.
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 Fast Track Tribunal decided that the Claim did not fall to be considered under paragraph 13.21.8.1 of the Judicial Panel Protocol
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.