

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Cowdenbeath FC (the Club)

on behalf of

Robbie Deas (the Player)

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Friday 4 January to deliberate this Claim.
2. In the 35th minute of the Scottish League 2 fixture between Stirling Albion FC and Cowdenbeath FC on 29th December 2018, the Player was dismissed from the field of play by the Referee for denying the Stirling Albion player number 11 with an obvious 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 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 deny an obvious goal scoring opportunity and that there was no real holding back or pulling motion apparent on the video footage.
6. The Referee provided a statement explaining the act which he decided was denial of an obvious goal scoring opportunity.
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:

Where a player commits an offence against an opponent within their own penalty area which denies an opponent an obvious goal-scoring opportunity and the referee awards a penalty kick, the offender is cautioned if the offence was an attempt to play the ball; in all other circumstances (e.g. holding, pulling, pushing, no possibility to play the ball etc.) the offending player must be sent off.
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 Tribunal was satisfied that the Referee's decision was correct.
9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and original sanction should be upheld. The Claim is not considered to be vexatious or one that had no prospect of success.

10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.