

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Dundee United FC**

**on behalf of**

**Ryan Edwards**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the morning of Wednesday 8<sup>th</sup> February 2023 to deliberate this Claim.
2. In the 29th minute of the Scottish Premiership fixture; Heart of Midlothian FC v Dundee United FC, played on Saturday 4<sup>th</sup> February 2023, the player was sent off 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 a written statement and video footage.
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 not opinion, that the Referee made an Obvious Refereeing Error in dismissing the player.
5. In summary, the Claimant's submission was that the player had made an attempt to gain possession of a loose ball and cleared it out of play prior to contact with the opposing player. They stated that this was not a challenge, but a clearance, with the player in full control of his actions with his standing leg on the ground. They had no concern over endangering the safety of an opponent, the player had travelled a minimal distance to make the clearance, the collision was not excessive in force or velocity, and was felt to be a legitimate attempt for the ball. They submitted that the nature of the collision occurred as two energies arriving from different directions, with full and direct contact made with the ball by the player. They believed that the opposing player made a late lunge in an attempt to win the ball, by which time the player had already made his clearance, the opposition player having therefore endangered his own safety by lunging and sliding under the players arc like motion when the player was kicking the ball. They submitted that the player was therefore helpless to avoid the contact and there was not excessive force nor brutality in his actions.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that he had initially thought that the player had not made any contact on his opponent and believed that he had only made contact with the ball. At the next stoppage in play, he was invited by the Video Assistant Referee to do an on field review for possible Serious Foul Play. He then had the opportunity to review the incident from multiple angles and at different speeds. He determined from that on-field video review that the player was guilty of Serious Foul Play, having tackled his opponent with excessive force endangering the safety of his opponent. He therefore sent the player off.
7. The Fast Track Tribunal viewed video footage in real time and slow motion of the incident leading to the dismissal from different angles and were also provided with the VAR clip within the video footage. They also carefully considered the written submission from the Claimant and the Referee's detailed report. They also considered the definition from Laws of the Game in relation to serious foul play: (*ref IFAB Laws of the Game 2022/23*)

Ryan Edwards, Dundee United FC

*A tackle or challenge that endangers the safety of the opponent or uses excessive force or brutality must be sanctioned as serious foul play.*

*Any player who lunges at an opponent in challenging for the ball from the front, side or behind, using one or both legs, with excessive force or endangers the safety of the opponent is guilty of serious foul play.*

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. They noted that following the VAR review the Referee had a clear opportunity to review the incident and had taken some time in doing so. They noted that the Claimants submission referenced that the player had cleared the ball out of play before contact with the opposing player. The video evidence provided by them did not support this statement, with it clear to the Fast Track Tribunal that the opposing player was committed into the challenge before the players leg moved into the challenge for the ball. Indeed it was clear that the force of the players challenge was such that though he may have cleared the ball, he did so whilst endangering the safety of his opponent.

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 Fast Track Tribunal were provided with video evidence which gave multiple angled views of the incident and were unanimous that the Claimant failed to demonstrate in their submission that the Referee had made an Obvious 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.

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