

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Cumnock Juniors FC**

**on behalf of**

**Andrew McLaughlin.**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 24th January 2024 to deliberate this Claim.
2. In the 90th minute of the West of Scotland Premier Division fixture between Cumnock Juniors FC and Clydebank FC on Saturday 20th January 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 was challenging for the ball at the same time, with both players legs at the same height and position.
6. The Referee provided a statement explaining the act which he decided was A1 - Serious Foul Play occurred as the ball was then won and cleared by the opponent, but the player continued his run towards the opponent and thereafter raised his leg in straight in the air, in an attempt to block the clearance made by the opponent, but failed to do so. Instead, the player caught the opponent on the lower shin/higher ankle area, missing the ball completely using excessive force. The player made this challenge with his studs showing and was intent at winning the ball at all costs, and endangered the opponent's safety as the tackle was made at speed.
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 successfully demonstrated that an Obvious Refereeing Error had occurred. The player was attempting to win possession of the ball and both the player and the opponent were stretching for the ball.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the sending off offence and original sanction should be rescinded.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.