

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Gartcairn FC

on behalf of

Charlize McFadyen

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 27th September 2022 to deliberate this Claim.
2. In the 32nd minute of the 18's National Academy Programme fixture between Aberdeen FC and Gartcairn FC on Monday 4th September 2022, the player was dismissed from the field of play by the Referee for A2 – Violent Conduct.
3. The Claimants submitted a Claim of Wrongful Dismissal 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. 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 A2 – Violent Conduct.
6. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred.
7. The Determination of the Fast Track Tribunal was that the Claim be upheld and the sending off offence and original sanction should be rescinded.
8. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.