

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Arniston Rangers FC

on behalf of

Niall Kemp.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 4th October 2023 to deliberate this Claim.
2. In the 84th minute of the East of Scotland First Division fixture between Arniston Rangers FC and Camelon Juniors FC on Saturday 30th September 2023, 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 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 Serious Foul Play.
6. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had partially demonstrated that an Obvious Refereeing Error had occurred.
7. The Determination of the Fast Track Tribunal was that the Claim be partially upheld, and the sending off offence and original sanction should be rescinded. However in the view of the Fast Track Tribunal, the player was guilty of the cautionable offence Recklessly trips or attempts to trip an opponent, and the sanction imposed on the player should be a cautionable for offence B1b - Recklessly trips or attempts to trip an opponent.
8. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.