

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Fraserburgh FC

on behalf of

Aidan Sopel.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Friday 23rd February 2024 to deliberate this Claim.
2. In the 93rd minute of the Highland Football League fixture between Buckie Thistle FC and Fraserburgh FC on Wednesday 21st February 2024, 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 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 had no violent intent and merely gave the opponent a tap with his foot and said "Get up, mate".
6. The Referee provided a statement explaining the act which he decided was A2 - Violent Conduct came as a result of the Assistant Referee advising him that the player had kicked the opponent with his right foot in the torso, when the opponent had no means of protecting himself, and that it constituted A2 - Violent Conduct.
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 A2 - Violent Conduct.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had been partially successful in demonstrating that an Obvious Refereeing Error had occurred, as the Fast Track Tribunal did not think the act by the player met the threshold for A2 - Violent Conduct.
9. 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Fast Track Tribunal was that the Claim be partially upheld and the sending off offence and original sanction should be rescinded, but a lesser sanction of a caution be imposed for cautionable offence B1d – Recklessly kicks or attempts to kick an opponent.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.