



WRITTEN REASONS OF THE FAST TRACK TRIBUNAL

IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Maryhill FC

on behalf of

Anthony Etherson

1. These are the written reasons for the determination made by a Fast Track Tribunal which convened on Wednesday 17th November 2021 to determine this Claim.
2. In the 93rd minute of the West of Scotland Football League Conference A fixture between Lugar Boswell Thistle FC and Maryhill FC on Saturday 13th November 2021, the player was dismissed from the field of play by the Referee for the offence A1 Serious Foul Play, as defined by the Laws of the Game. The dismissal resulted from a challenge for the ball between the player and a Lugar Boswell Thistle FC opponent player.
3. The Claimant lodged a claim of Wrongful Dismissal on behalf of the player. In support of the Claim, the Claimant submitted a written statement of the player and video footage of the incident.
4. In summary, the Claimant's submission was that the player challenged an opponent player for the ball leading with the side of his right foot, reached the ball before his opponent and, in doing so, made slight contact with his opponent.
5. The Referee provided a statement confirming the act which he decided was Serious Foul Play. The Referee stated that he dismissed the player for Serious Foul Play because the player had lunged at the opponent player with excessive force, struck the opponent player's legs with his studs, and by doing so, had endangered the safety of his opponent.
6. In order for a Claim of Wrongful Dismissal to be upheld the Fast Track Tribunal must be satisfied, on a balance of probabilities, that the Referee made an Obvious Refereeing Error in dismissing the player.
7. An Obvious Refereeing Error, as stated in Annexe F to the Judicial Panel Protocol 2021/22, is defined as being an error at a match by a Referee or a Match Official which is clear or self-evident, or easily perceived.
8. In IFAB Laws of the Game, Serious Foul Play is defined as follows:

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

Anthony Etherson, Maryhill FC

9. The Fast Track Tribunal considered all of the available evidence. The Fast Track Tribunal carefully viewed the video footage and considered the written statements of the Referee and the player. Having done so, the Fast Track Tribunal found, on a balance of probabilities, that the player had lunged for the ball with his leading leg raised off the ground, and his studs showing. The Fast Track Tribunal further found that the player's foot had struck his opponent's leg with excessive force and that, by his actions, the player had endangered the safety of his opponent.
10. The Fast Track Tribunal also found that the Referee was well positioned to see the challenge and make his decision.
11. The Fast Track Tribunal had the benefit of, and placed particular reliance upon, the video footage of the incident.
12. Accordingly, having considered all of the evidence, the Fast Track Tribunal found, on a balance of probabilities, that the Referee had not made an Obvious Refereeing Error in deciding that the player had committed the offence A1 Serious Foul Play. The Referee's decision to dismiss the player for Serious Foul Play was not a clear, self-evident or easily perceived error.
13. Therefore the Determination of the Fast Track Tribunal was that the Claim be dismissed and that the sending off offence, and mandatory sanction, be re-imposed.
14. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.