

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Rutherglen Glencairn FC

on behalf of

Mateusz Miller.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 20th February 2024 to deliberate this Claim.
2. In the 4th minute of the West of Scotland First Division fixture between Thorniewood United FC and Rutherglen Glencairn FC on Saturday 17th February 2024, the player was dismissed from the field of play by the Referee for A4 – Denying the opposing team or an opponent a goal or a goal scoring opportunity as defined by Law 12.
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 caught the ball within the penalty area as he is entitled to do, and that secondly, there was a defender between the player and the opponent which had the player not come to take the ball in his hands, then the covering defender would have comfortably cleared the ball. There was no obvious goal scoring opportunity.
6. The Referee provided a statement explaining the act which he decided was A4 – Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity as defined by Law 12 was the Rutherglen Glencairn FC goalkeeper catching the ball outside the penalty area and dragging it back into the penalty area, thus denying the opponent an obvious goal scoring opportunity.
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 A4 – Denying the opposing team or an opponent a goal or a goal scoring opportunity as defined by Law 12.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimant had been partially successful in demonstrating that an Obvious Refereeing Error had occurred. The Fast Track Tribunal were unanimous in their view that the player had handled the ball outside the penalty area, but given the position of the opponent and the other Rutherglen Glencairn FC player, they did not feel that this denied the opponent an obvious goal scoring opportunity. The Fast Track Tribunal decided that the appropriate sanction in the circumstances was to substitute a caution to the player for stopping a promising attack in terms of Judicial Panel Protocol paragraph 13.21.7.2

Mateusz Miller, Rutherglen Glencairn FC

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, and the lesser sanction of a caution for cautionable offence B1g – Commits an offence which interferes with or stops a promising attack outwith the penalty area, be imposed.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.