

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

St. Duthus FC

on behalf of

Adrian Voigt

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the evening of Tuesday 17th September 2024 to deliberate this Claim.
2. In the 96th minute of the North Caledonian League fixture between Clachnacuddin FC and St Duthus FC, played on Saturday 14th September 2024, the player was sent off for A1 - Serious Foul Play.
3. The Claimants submitted a Claim of Wrongful Dismissal on behalf of the player. In support of this Claim, the club submitted written statements from both the club and Player, and video footage of the incident.
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 not opinion, that the Referee made an Obvious Refereeing Error in dismissing the player.
5. In summary, the Claimant's submission was that the player had not committed a Serious Foul Play offence. They claimed that the player had pulled his opponent by the shoulder to prevent a counter attack, and this was neither aggressive nor did it risk the safety of the opponent. They felt it to be a yellow card at best.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that the player grabbed his opponent's shirt by the neck, causing the opponent to choke briefly and fall to the ground. He thought this showed no regard for the opponent's safety. He deemed this to be Serious Foul Play. He therefore sent the player off. He added that the player had the opportunity to grab the shirt lower down, but made a deliberate decision to grab it as high as he did in an aggressive manner.
7. The Fast Track Tribunal viewed video footage in real time and slow motion of the incident leading to the dismissal from two different angles. They also carefully considered the written submission from the Claimant, player, and the Referees statement. They also considered the definition from Laws of the Game in relation to Serious Foul Play: (*ref IFAB Laws of the Game 2024/25*)

A tackle or challenge that endangers the safety of the opponent or uses excessive force or brutality must be sanctioned as serious foul play.

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

Having considered all the evidence, the Fast Track Tribunal decided that the Claimants were partially successful in demonstrating that an Obvious Refereeing Error had occurred.

Adrian Voigt, St Duthus FC

Having reviewed the video evidence submitted by the Claimant, the Fast Track Tribunal were able to agree with the claimant that the challenge was not pulling the opponent by the neck, nor did it endanger the opponent's safety by being excessive force or brutal.

For a Claim to be successful as per the JPP Annex K, section 10.10.4 the Fast Track Tribunal must be satisfied that it is more likely than not, in all of the circumstances of the Case, that an Obvious Refereeing Error has occurred. That is the error is 'clear, self evident or easily perceived' (*glossary JPP*).

The Fast Track Tribunal were provided with video evidence which gave a single angled view of the incident and were unanimous that the Claimant demonstrated in their submission that the Referee had made an Obvious Error resulting in the wrongful dismissal of the player. It was clear there was foul on the opponent, but this was not a red card offence.

The Fast Track Tribunal ruled that the red card offence be rescinded, and the player be issued with a yellow card for cautionable offence B1F – Holds or pushes an opponent.

The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.