



WRITTEN REASONS OF THE FAST TRACK TRIBUNAL

IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Queen of the South F.C. (“the Claimant”)

on behalf of

Stephen Ayomide Obileye (“the Player”)

1. These are the written reasons for the determination made by a Fast Track Tribunal (“the Tribunal”), which convened on Wednesday 17th March 2021 to determine this Claim.
2. In the 45th minute of the Scottish Championship fixture between Queen of The South FC and Alloa Athletic FC, on Saturday 13th March 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 an incident involving the Player and the Alloa Athletic FC player, number 22.
3. The Claimant submitted a claim of Wrongful Dismissal on behalf of the Player. In support of the Claim, the Claimant submitted video footage showing the incident in question as well as a written Submission.
4. In summary, the Claimant’s submission was that the Player did not challenge at speed or with excessive force or brutality, did not make contact with his opponent’s leg below the knee, made contact with the latter’s foot, and did not endanger the safety of 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 taken a heavy touch, stretched to make up for this and, in doing so, caught his opponent late and made contact just below the latter’s knee and then on his foot. The Referee stated that by his actions the Player had endangered the safety of his opponent.
6. In order for a Claim of Wrongful Dismissal to be upheld, the 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 2020/21, 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.”

9. The Tribunal considered all of the available evidence. The Tribunal viewed the video footage and carefully considered the Claimant’s written Submission and the Statement of the Referee. Having done so, the Tribunal found, on a balance of probabilities, that the Player did not make contact with his opponent just below the knee, and did make contact on the latter’s foot. The Tribunal found that the Player did not use excessive force or endanger the safety of his opponent but that, in stretching and making contact with his opponent’s foot, after the latter had played the ball, the Player did make a reckless challenge and, accordingly, committed the offence B1c) Recklessly tackles or challenges an opponent.
10. The Tribunal had the benefit of, and placed particular reliance upon, the video footage which clearly showed the incident.
11. Accordingly, and on a balance of probabilities, the Tribunal found that the Referee’s conclusion and decision to dismiss the Player for Serious Foul Play was a self-evident error and that the Player, by his actions, had, in fact, committed the cautionable offence of B1c) Recklessly tackles or challenges an opponent.
12. Therefore the determination of the Tribunal was that the Claim be upheld in part, that the sending off offence, and mandatory sanction, be rescinded, that the cautionable offence of B1c) Recklessly tackles or challenges an opponent had been committed by the Player, and that the appropriate sanction for that offence be imposed.
13. The determination of the Tribunal is final and binding on all Parties and is not subject to appeal.