

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Bo'ness United FC

on behalf of

Jamie McCormack

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 22nd September 2021 to deliberate this Claim.
2. In the 86th minute of the Scottish Cup fixture between Wick Academy FC and Bo'ness United FC on Saturday 18th September 2021, the player was dismissed from the field of play by the Referee for offence A4 – Denying the opposing team or an opponent a goal or an obvious 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 did not deny a clear goal scoring opportunity as both the Bo'ness United FC number 10 and the Bo'ness United FC goalkeeper would have reached the edge of the penalty area at the same time as the Wick Academy FC player, as the incident in question took place 30 yards from the penalty area giving both Bo'ness United FC players time to cover.
6. The Referee provided a statement explaining the act which he decided denied the opponent an obvious goal scoring opportunity. He stated that the incident took place some 25 yards from the Bo'ness United FC goal. The Wick Academy FC player took a touch past the player, had the ball under control, and if not fouled would have had a clear run on goal. He stated that the other Bo'ness United FC players were remote and would not get into a position to challenge the Wick Academy FC player, and accordingly he was denied a clear and 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 offence A4 – Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity as defined by Law 12.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had been unsuccessful in demonstrating that an Obvious Refereeing Error had occurred. The Fast Track Tribunal were unanimously of the view that the opponent had the ball under control and had a clear run towards goal, and there is no clear evidence as to whether the Bo'ness United FC players would have been able to intercept the attacker.

9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and original sanction should be re-imposed. The Fast Track Tribunal did not think the Claim was frivolous and therefore did not fall to be dealt with in terms of paragraph 13.13.8 of the JPP.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.