



## **WRITTEN REASONS OF THE FAST TRACK TRIBUNAL**

### **IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:**

**Lothian Thistle Hutchison Vale FC**

**on behalf of**

**Sean Lally**

1. These are the written reasons for the determination made by a Fast Track Tribunal which convened on Wednesday 8<sup>th</sup> September 2021 to determine this Claim.
2. In the 21<sup>st</sup> minute of the East of Scotland Premier League fixture between Lothian Thistle Hutchison Vale FC and Tynecastle FC on Saturday 4<sup>th</sup> September 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.
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 and his opponent both went into a tackle, the player did not have his studs showing, there was minimal contact between the player and his opponent, and the latter completed the game.
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 tackled his opponent at speed with his leg off the ground, his studs showing, and had struck his opponent between the latter's knee and foot. The Referee determined that the player had made the tackle with excessive force and had endangered the safety of an 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."

Sean Lally, Lothian Thistle Hutchison Vale FC

9. The Fast Track Tribunal viewed the video footage of the incident, supplied by the Claimant, and carefully considered the Claimant's written submission and the statement of the Referee. Having done so, the Fast Track Tribunal found that the player made the tackle at speed, with his leg off the ground, his studs showing, and made contact with the opposing player. The Fast Track Tribunal further found that the nature of the tackle endangered the safety of his opponent. The Fast Track Tribunal further found that the Referee was well positioned to see the tackle and make his decision.
10. Accordingly, having considered all of the evidence, the Fast Track Tribunal found, on a balance of probabilities, that the Referee has not made an obvious Refereeing Error in concluding that the player's tackle on the opposing player constituted 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.
11. 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.
12. The determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to appeal.