



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

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

**St. Cadoc's FC**

**on behalf of**

**Jay Paterson**

1. These are the written reasons for the determination made by a Fast Track Tribunal which convened on Wednesday 23<sup>rd</sup> August 2023 to determine this Claim.
2. In the 90th minute of the West of Scotland Football Development League Cup fixture between St. Cadoc's FC and St. Peter's FC on Friday 18<sup>th</sup> August 2023, the player was dismissed from the field of play by the Referee for the offence A2 - Violent Conduct, as defined by IFAB 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 provided video footage showing the incident in question as well as a written submission and written statements from the player and their U20 Head Coach, John Paterson.
4. In summary, the Claimant's submission was that the player challenged an opponent, did not kick the other player, and made minimal contact with him.
5. The Referee provided a statement confirming the act which he decided was A2 - Violent Conduct. The Referee stated that he dismissed the player for Violent Conduct after he saw the player swing his leg in a kicking motion at his 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 2023/24, 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, Violent Conduct is defined as follows:

“Violent Conduct is when a player uses or attempts to use excessive force or brutality against an opponent when not challenging for the ball, or against a team-mate, team official, match official, spectator or any other person, regardless of whether contact is made.

In addition, a player who, when not challenging for the ball, deliberately strikes an opponent or any other person on the head or face with the hand or arm, is guilty of violent conduct unless the force used was negligible.”

9. The Fast Track Tribunal considered all of the available evidence. The Fast Track Tribunal viewed the video footage and carefully considered the Claimant’s written submission as well as the statements of the Referee, the player, and Head Coach. The Fast Track Tribunal, in particular, had the benefit of viewing the footage. Having considered all of the evidence the Fast Track Tribunal found, on a balance of probabilities, that the player had not swung his leg at his opponent and had made minimal contact with him when challenging for the ball. The footage did not show the player swinging his leg in a kicking motion at his opponent. The Fast Track Tribunal therefore found, on a balance of probabilities, that the player did not use excessive force or brutality against his opponent, and there was no violent conduct in his challenge to him.
10. Accordingly, the Fast Track Tribunal determined, on a balance of probabilities, that the Referee had made an Obvious Refereeing Error in concluding that the player’s actions constituted Violent Conduct and dismissing the player. Therefore, the Determination of the Fast Track Tribunal was that the Claim be upheld and that the sending off offence, and mandatory sanction be rescinded. The Fast Track Tribunal also determined that the player had not committed any other offence.
11. The determination of the Fast Track Tribunal is final and binding on all parties and is not subject to appeal.