

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Name of Club (the Club) Peterhead FC

on behalf of

Name of Player (the Player) Simon Ferry

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Thursday 7th January 2021 to deliberate this Claim.
2. In around the 22nd minute of the Scottish League One fixture between Cove Rangers FC and Peterhead FC on 2nd January 2021 the Player was sent off for violent conduct.
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 commit an act of violent conduct and that the Referee had made a mistake.
6. The Referee provided a statement explaining the act which he decided was violent conduct.
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 Violent conduct which states:

"When a player uses or attempts to use excessive force or brutality against an opponent when not challenging for the ball"
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimant has not successfully demonstrated that an Obvious Refereeing Error had occurred. The panel were satisfied that the referee's decision was correct. The definition of an Obvious Referring error requires that an error be clear or self-evident or easily perceived and that was not established by the video evidence.
9. The Determination of the Fast Track Tribunal was that the Claim be rejected and the original sanction of dismissal should be upheld. The Claim is not considered to be misconceived or one that had no prospect of success.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.