



WRITTEN REASONS OF THE FAST TRACK TRIBUNAL

IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Dunfermline Athletic FC

on behalf of

Aidan Meikle

1. These are the written reasons for a Determination made by a Fast Track Tribunal (“the Tribunal”), which convened on Wednesday 25th January 2023 to determine this Claim.
2. In the 77th minute of the CAS Performance Under 18’s League fixture between Ayr United FC and Dunfermline Athletic FC on Friday 20th January 2023, the player was dismissed from the field of play by the Referee for A4: Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity as defined by Law 12 of IFAB Laws of the Game.
3. The Claimant submitted a Claim of Wrongful Dismissal on behalf of the player. In support of this 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 was attempting to play the ball when he made contact with an opponent player in the Claimant’s penalty box.
5. 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.
6. The Referee provided a candid, written statement confirming that, on reflection, he agreed with the Claimant that the player made a genuine attempt to play the ball in the incident. The Referee stated that, again on reflection, he should have cautioned the player, rather than dismissed him, when awarding a penalty kick to the opponent club.
7. The Tribunal considered the meaning of “Obvious Refereeing Error”, as stated in Annex F to the Judicial Panel Protocol 2022/23, being an error at a match by a referee or a match official which is clear or self-evident, or easily perceived.
8. The Tribunal also considered the definition from IFAB Laws of the Game in relation to Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity, as follows:
 - Where a player denies the opposing team a goal or an obvious goal-scoring opportunity by a deliberate handball offence the player is sent off wherever the offence occurs.
 - Where a player commits an offence against an opponent within their own penalty area which denies an opponent an obvious goal-scoring opportunity and the referee awards a penalty kick, the offender is cautioned if the offence was an attempt to play the ball; in all other circumstances (e.g. holding, pulling, pushing, no possibility to play the ball etc.) the offending player must be sent off.
 - A player, sent off player, substitute or substituted player who enters the field of play without the required referee’s permission and interferes with play or an opponent and denies the opposing team a goal or an obvious goal-scoring opportunity is guilty of a sending-off offence.

The following must be considered:

- distance between the offence and the goal
- general direction of the play
- likelihood of keeping or gaining control of the ball

9. The Tribunal considered the video footage and submission of the Claimant, as well as the Referee's statement. Having done so, the Tribunal found, on a balance of probabilities, that the Referee, as he had candidly stated, had made an obvious refereeing error in dismissing the Player.
10. Therefore, the Determination of the Tribunal was that the Claim be upheld and that the sending off offence and mandatory sanction be rescinded, and that the cautionable offence of B1 e) (Denies an opponent an obvious goal scoring opportunity) had been committed by the Player and that the appropriate sanction for that offence be imposed.
11. The Determination of the Tribunal is final and binding on all Parties and is not subject to appeal.