

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Ormiston Primrose FC

on behalf of

Theo McGuire (the “Player”)

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on 11th January 2023 to deliberate this Claim.
2. In the 8th minute of the East of Scotland League 2 fixture between Whitburn FC and Ormiston Primrose FC on 7th January 2023, the Player was dismissed from the field of play by the Referee for Serious Foul Play as defined by Law 12 **(A1)**.
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 written submission was that he did not lunge into a challenge at speed making contact with the opponent high on his shin. Furthermore, it was submitted that the Player made a legitimate attempt to play the ball well within his opponents’ half of the pitch and at no point intended to use excessive force, or endanger him. Nevertheless, the Player submitted that the opponent made contact with the ball a split second before him, leading unfortunately to contact with his ankle and bringing him down.
6. The Referee provided a statement explaining the act which he decided was an A1 offence for the tackle determined to endanger the safety of an opponent.
7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submission from the Claimant. It also considered the definition from Laws of the Game in relation to Law 12.
8. Having considered all the evidence, the Fast Track Tribunal decided, unanimously, that the Claimants had been **SUCCESSFUL** in demonstrating that an Obvious Refereeing Error had **OCCURRED**.
9. The Determination of the Fast Track Tribunal was that the Claim be **PARTIALLY UPHELD** and the sending off offence and original sanction should be **RESCINDED** and **REPLACED** with a **CAUTION** for a **(B1(c))** offence having recklessly tackled an opponent.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.