

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Troon FC**

**on behalf of**

**Josh Black**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 30th November 2022 to deliberate this Claim.
2. In the 88th minute of the West of Scotland Premier Division match between Kirkintilloch Rob Roy FC v Troon FC on Saturday 26th November 2022, the player was cautioned by the Referee for simulation. As the player had already been cautioned by the Referee for the same offence earlier in the match, he was then shown a red card and instructed by the Referee to leave the field of play.
3. The Claimants submitted a Claim of Wrongful Caution on behalf of the player. In support of this Claim, the club submitted video footage showing the incident in question and detailed written submissions.
4. In order for a Claim of Wrongful Caution 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 cautioning the player.
5. In summary, the Claimant's submissions acknowledged that the player received a second yellow card for alleged simulation in the 88th minute of the West of Scotland Premier Division match between Kirkintilloch Rob Roy FC and Troon FC on Saturday 26th November 2022. The club state that the player had previously received a yellow card for the same offence of simulation (which they also disputed) and as a result he was dismissed from the field of play. It was submitted on behalf of the player that this was a wrong decision and came as a result of an Obvious Refereeing Error. Reference was made to the pitch side footage of the incident submitted by the club of the incident. The club submitted that there had been no simulation.
6. The Referee provided a statement explaining his decision. He stated that in the 88th minute of the match, that the ball entered the goal area of Kirkintilloch Rob Roy FC, and that the player was in close pursuit of the ball. The Referee further stated that the Kirkintilloch Rob Roy FC player approached the player and attempted to play the ball. The Referee stated that he had been a short distance from the players and considered initially that the goalkeeper of Kirkintilloch Rob Roy FC had made contact with the player's leg when his arms were outstretched when attempting to play the ball, and had in turn therefore committed a foul. Accordingly his initial reaction was to award a penalty kick to Troon FC. Thereafter the Referee's attention was drawn by his Assistant Referee who asked him to discuss the incident prior to the restart of play. The Referee was subsequently advised by the Assistant Referee that the Kirkintilloch Rob Roy FC player had made no contact with the Troon FC player, who had accordingly committed an act of simulation. The Referee was informed that the Assistant Referee had a better view of the incident, which was unobstructed, and as such he was of the opinion that the decision should be reversed. Having confirmed with the Assistant Referee that he was confident in this opinion, the Referee reversed

Josh Black, Troon FC

the decision to award a penalty kick to Troon FC, and advised the player that he was being cautioned for the offence of simulation. Given that the player had previously been cautioned, the Referee showed a red card to the player who was directed to leave the field of play and its immediate environs. Play was subsequently re-started with an indirect free kick to Kirkintilloch Rob Roy FC.

7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the submissions from the Claimants. It also considered the definition from Laws of the Game in relation to cautionable offences.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had unsuccessfully demonstrated that an Obvious Refereeing Error had occurred. The Fast Track Tribunal examined the available video evidence in detail, and noted the terms of the submissions on behalf of the player, and also the terms of the Referee's report. The Fast Track Tribunal observed that from the video footage that it was apparent that whilst the Referee was relatively well-placed to observe the incident, that his view may have been obstructed to an extent by other players on the field. The Fast Track Tribunal did however note that the Assistant Referee had a better and unobstructed view of the incident, being almost level with the incident as it took place. The Assistant Referee was therefore well placed to offer his opinion on what had transpired, and the Referee was entirely justified in seeking his opinion on what had transpired at the relevant time. The Referee was entirely correct to seek the views of his Assistant Referee, and having confirmed that he was firm in that opinion to the effect that simulation had taken place, it was entirely within his discretion to conclude that his better placed Assistant's view should prevail. Having viewed the video footage the Fast Track Tribunal agreed that the Assistant Referee was better placed to observe the incident, and that nothing contained within that footage would lead the Fast Track Tribunal to conclude that any Obvious Refereeing Error had been made. The footage was entirely consistent with the account given by the Assistant Referee whose view was ultimately accepted by the Referee.
9. The Assistant Referee clearly had a very good view of the incident and at the relevant time he was in very close proximity thereto. He had a clear and unobstructed view which he provided to the Referee, and which view the Referee was entirely justified in accepting that the player had been guilty of simulation. The Referee clearly explained his reasoning for coming to this conclusion, and there was nothing in the video footage which was in any way inconsistent with that interpretation of the player's actions. The Fast Track Tribunal accordingly concluded that the Claimant had not established on a balance of probabilities that the Referee had made an Obvious Refereeing Error. Accordingly the Fast Track Tribunal were satisfied that the Claim should be dismissed.
10. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the cautionable offence and original sanction should be reimposed.
11. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.