

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Hill of Beath Hawthorn FC**

**on behalf of**

**Jake Mitchell**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 12th April 2022 to deliberate this Claim.
2. In the 119th minute of the East of Scotland Qualifying Cup 5<sup>th</sup> round fixture between Linlithgow Rose FC and Hill of Beath Hawthorn FC on Saturday 9<sup>th</sup> April 2022, the player was dismissed from the field of play by the Referee for A2 - 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 display excessive force and his conduct was not correctly described by the Referee in so far as he played the ball with his standing foot planted, and did not play the player after the ball had been played away.
6. The Referee provided a statement explaining the act which he decided was Violent Conduct, was a tackle made when there was no opportunity to play the ball, and there was excessive force with a straight leg tackle with high contact after the ball had been played away.
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.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred, as the force used was insufficient to justify Violent Conduct.
9. The Determination of the Fast Track Tribunal was that the Claim be partially upheld, the sending off offence and original sanction should be rescinded, and the lesser sanction of a caution for offence B1d – Recklessly kicks or attempts to kick an opponent be imposed.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.