

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Cumnock Juniors FC

on behalf of

Jamie Wilson.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 24th January 2024 to deliberate this Claim.
2. In the 67th minute of the West of Scotland Premier Division fixture between Cumnock Juniors FC and Clydebank FC on Saturday 20th January 2024, the player was dismissed from the field of play by the Referee for A1 – Serious Foul Play.
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 use excessive force, engaged in a controlled tackle, sliding in in a controlled manner and won the ball cleanly from the opponent. The player doesn't lunge into the challenge, and instead is sliding across the ground in a controlled manner in order to win the ball from his opponent, remaining on the ground at all times with laces part of his boot challenging for the ball. The player doesn't catch the opponent on the lower shin but instead makes contact with the ball.
6. The Referee provided a statement explaining the act which he decided was A1 – Serious Foul Play took place after the player was challenged by an opponent. The player slid in to win the ball with a strong challenge but as he did so, the ball moved approximately four yards in front of him. The opponent who was running towards the ball, then ran to try and clear the ball away, however the player slid in to try and win the ball also. When this happened, the player lunged into the tackle catching the opponent on his lower shin, using excessive force, sending the opponent crashing to the ground.
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 A1 – Serious Foul Play.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had been partially successful in demonstrating that an Obvious Refereeing Error had occurred. When the player slides in to make the tackle, he is however reckless.

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 a lesser sanction of a caution for cautionable offence B1c – Recklessly tackles or challenges 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.