

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Pollok FC

on behalf of

Fraser Mullen

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the evening of 24th February 2023 to deliberate this Claim.
2. In the 65th minute of the West of Scotland Football League Premier Division fixture Troon FC v Pollok FC, played on 22ND February 2023, the Player was sent off 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 written statements from the Club Secretary, Player and clips of video footage of the incident.
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 not opinion, that the Referee made an Obvious Refereeing Error in dismissing the Player.
5. In summary, the Claimant's submission was that the Player had played the ball simultaneously with his opponent, taking two strides only, without a straight leg and the sole of his boot down. This challenge did not endanger the safety of the opponent. The Player noted that he made contact with the ball, not his opponent, and it was a low tackle without his studs showing.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that he had a clear view of the incident from 10 yards. The Player failed to control ball with the Opponent then running in to retrieve it. The Player challenged with excessive force in a lunge challenge, making contact with the opponents ankle, then ball, with excessive force, endangering safety of his opponent. He deemed this to be serious foul play. He therefore sent the Player off.
7. The Fast Track Tribunal viewed video footage in real time and slow motion of the incident leading to the dismissal from two different angles. They also carefully considered the written submission from the Claimant and club parties and the referees report. They also considered the definition from Laws of the Game in relation to serious foul play: (*ref IFAB Laws of the Game 2022/23*)

A tackle or challenge that endangers the safety of the opponent or uses excessive force or brutality must be sanctioned as serious foul play.

Any player who lunges at an opponent in challenging for the ball from the front, side or behind, using one or both legs, with excessive force or endangers the safety of the opponent is guilty of serious foul play.

Having considered all the evidence, the Fast Track Tribunal decided that the Claimants were UNSUCCESSFUL in demonstrating that an Obvious Refereeing Error had OCCURRED.

Fraser Mullen, Pollok FC

STATE REASON WHY IN BRIEF FOR THIS DETERMINATION.

Having reviewed the video evidence submitted by the Claimant the Fast Track Tribunal were unable to agree with the claimant that an obvious refereeing error had occurred. They noted that the referee had a clear and uninterrupted view of the challenge from a few yards away and was therefore in a better place to determine the speed, intensity and control of the Player in the challenge than that afforded by the video evidence provided by the club to them. The video evidence itself showed that the both players feet were off the ground as he lunged into the challenge supporting the referees statement. Whilst the force may or may not have been excessive, the challenge certainly endangered the safety of the opponent and therefore met a threshold to be considered serious foul play.

STATE REASONS TO SUPPORT DETERMINATION.

For a claim to be successful as per the JPP Annex K, section 10.10.4 the FTT must be satisfied that it is more likely than not, in all of the circumstances of the Case, that an obvious refereeing error has occurred. That is the error is 'clear, self evident or easily perceived' (*glossary JPP*).

The Fast Track Tribunal were provided with video evidence which gave a two angled view of the incident, both in real time and slow motion, and were unanimous that the claimant failed to demonstrate in their submission that the referee had made an obvious error resulting in the wrongful dismissal of the player. It was not clear, nor easily perceived, that the referee had made an obvious error in his decision.

The Tribunal did not believe this to be a frivolous claim, as considered under section 15.9 of the JPP, therefore no further sanction has been imposed.

The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.