

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Cumbernauld Colts FC

on behalf of

Dominic Slattery

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 10th November 2021 to deliberate this Claim.
2. In the 56th minute of the Scottish Lowland Football League fixture between Cumbernauld Colts FC and Caledonian Braves FC on Saturday 6th November 2021, the player was dismissed from the field of play by the Referee for 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 made a tackle with a single leg (left) with his studs down, and made contact with the ball. His momentum carried him into the opponent, and the video showed clear marks on the turf showing that his right leg never left the ground.
6. The Referee provided a statement explaining the act which he decided was Serious Foul Play. He stated that the player, in challenging for the ball, lunged at the opponent with both legs using excessive force in a chopping motion, clearly endangering the safety of the opponent.
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: Serious Foul Play.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had been successful in demonstrating that an Obvious Refereeing Error had occurred. The Fast Track Tribunal were of the unanimous view that the player had made a clean challenge with his left foot, making contact with the ball, but his right leg followed through catching the opponent in a reckless manner.
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Fast Track Tribunal was that the Claim be partially upheld and the sending off offence and original sanction should be rescinded, and the lesser sanction of a caution for a reckless tackle on an opponent be imposed.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.