

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Clyde FC (the Club)**

**on behalf of**

**Blair Currie (the Player)**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on 27 March 2019 to deliberate this Claim.
2. In the 84<sup>th</sup> minute of the Scottish League 2 fixture between Clyde FC and Annan Athletic FC on 23 March 2019, the Player was dismissed from the field of play by the referee for 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's ankle had been grabbed by an opposition player resulting in him falling backwards. As his movement was restricted, the player had sought to release his foot as he fell but had neither maliciously nor aggressively struck out.
6. No Referee Statement was provided.
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. It was evident that the referee had not seen the incident and had gone on information provided by the assistant referee. In the absence of a referee statement, the Fast Track Tribunal could only proceed on the information before them, which constituted the player's claim and the video evidence. The Fast Track Tribunal was satisfied that the player's ankle had been grabbed causing him to fall backwards, as a result of which it was more likely than not that he had simply sought to free himself without any intention to injure or acting in a reckless manner.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the sending off offence and original sanction should be rescinded.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.