



WRITTEN REASONS OF THE FAST TRACK TRIBUNAL

IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Hibernian FC

on behalf of

James Jeggo.

1. These are the written reasons for the determination made by a Fast Track Tribunal which convened on Wednesday 26th April 2023 to determine this Claim.
2. In the 48th minute of the Scottish Premiership fixture between St. Johnstone FC and Hibernian FC on Saturday 22nd April 2023, the player was dismissed from the field of play by the Referee for the offence A1 - Serious Foul Play, as defined by the Laws of the Game. The dismissal resulted from a challenge for the ball between the player and the St. Johnstone FC player, number 26.
3. The Claimant lodged a claim of Wrongful Dismissal on behalf of the player. In support of the Claim, the Claimant submitted a written submission, a statement of the player, and video footage of the incident.
4. In summary, the Claimant's submission was that the player did not use excessive force, and did not endanger the safety of his opponent when making his challenge. The Claimant and the player stated that the player deliberately kept his foot low in his follow through action, after clearing the ball, to avoid endangering the safety of the opposition player.
5. The Referee provided a Statement confirming the act which he decided was A1 - Serious Foul Play. The Referee stated that he dismissed the player for Serious Foul Play because the player had lunged at, and struck the shin of, his opponent, with his studs showing and with intensity. The Referee stated that by his actions the player had endangered the safety of his opponent.
6. In order for a Claim of Wrongful Dismissal to be upheld, the Fast Track Tribunal must be satisfied, on a balance of probabilities, that the Referee made an Obvious Refereeing Error in dismissing the player.
7. An Obvious Refereeing Error, as stated in Annexe F to the Judicial Panel Protocol 2022/23, is defined as being an error at a match by a Referee or a Match Official which is clear or self-evident, or easily perceived.
8. In IFAB Laws of the Game, Serious Foul Play is defined as follows:

“A tackle or challenge that endangers the safety of an 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, from the side or from behind using one or both legs, with excessive force or endangers the safety of an opponent, is guilty of serious foul play.”

James Jeggo, Hibernian FC

9. The Fast Track Tribunal considered all of the available evidence. The Fast Track Tribunal viewed the video footage and carefully considered the Claimant's written submission, and the statements of the Referee and the player. Having done so, the Fast Track Tribunal made the following findings, on a balance of probabilities. They found that the player stretched with speed to clear the ball. They found that the player's opponent arrived into the challenge at speed, after the player had cleared the ball, and that both players' actions in committing to the challenge caused them to collide. The Fast Track Tribunal further found that in his follow through action after playing the ball, the player's left foot was raised, with his studs showing, and this struck his opponent's right shin. Accordingly, the Fast Track Tribunal found, on a balance of probabilities, that the player did not lunge at, use excessive force towards, or endanger the safety of his opponent but in his follow through action, after playing the ball, he recklessly challenged his opponent. The Fast Track Tribunal therefore found that the player committed the offence B1c - Recklessly tackles or challenges an opponent.
10. Accordingly, and on a balance of probabilities, the Fast Track Tribunal found that the Referee's conclusion and decision to dismiss the player for A1 - Serious Foul Play, was a self-evident error, and that the player, by his actions, had in fact committed the cautionable offence of B1c – Recklessly tackles or challenges an opponent.
11. The Fast Track Tribunal had the benefit of, and placed particular reliance upon the video footage, including slow motion video film of the incident.
12. Therefore, the determination of the Fast Track Tribunal was that the Claim be partially upheld, that the sending off offence and mandatory sanction be rescinded, that the cautionable offence of B1c – Recklessly tackles or challenges an opponent had been committed by the player, and that the appropriate sanction for that offence be imposed.
13. The Determination of the Fast Track Tribunal is final and binding on all parties and is not subject to appeal.