



WRITTEN REASONS FOR THE FAST TRACK TRIBUNAL'S DETERMINATION

IN RESPECT OF THE NOTICE OF COMPLAINT ("FT NOC") AGAINST

GREGORY TANSEY ("the Player")

of ST MIRREN FC ("the Club")

1. These are the Written Reasons for a Determination made by a Fast Track Tribunal ("the Tribunal"), which convened on 28th February 2019.
2. The Compliance Officer issued a Fast Track Notice of Complaint ("FT NOC") to the Player on 26 February 2019, alleging a breach of Disciplinary Rule 200 during the SPFL Premiership match between Heart of Midlothian FC and the Club on 23rd February 2019.
3. It was alleged in the FT NOC that, in or around the 45th minute of the match, the Player had committed a physical act, being a challenge upon the opposing player C. Dikamona, which amounted to the sending off offence of Serious Foul Play.
4. The Compliance Officer included the following written evidence with the FT NOC: the opinions of three former match officials, and statements of all four match officials appointed to the match as to whether or not they had seen all or part of the alleged incident. She also lodged video evidence of the physical act.
5. The Player denied the charge detailed in the FT NOC.
6. The Compliance Officer and the Player, through the Club, lodged Written Submissions.
7. A Hearing took place at Hampden Park on 28 February at 2.30pm.
8. The Compliance Officer and the Club Director attended the Hearing in person.
9. The matter of the competency of the FT NOC was raised. The Tribunal considered submissions from the Club Director and the Compliance Officer on this matter.
10. The position of the Compliance Officer was as outlined in her Written Submission and as she stated in her oral submission at the Hearing. She submitted that the Referee did not see the physical act and that the Assistant Referee, positioned nearest to the area on the pitch where the physical act occurred, did not see the whole physical act, in that he did not see the Player's contact with the opposing player. Those Match Officials' views were obstructed by other players on the pitch. The other Assistant Referee did not see any part of the physical act, as he was focused on another part of the pitch, and the Fourth Match Official did not see the contact. The Compliance Officer's position was that the whole physical act was not seen by the Match officials at the time, that the Serious Foul Play was exceptional in nature, and the part of the physical act that rendered it exceptional was not seen at the time, therefore the FT NOC had been competently raised in accordance with Paragraphs 13.3.3 and 13.3.4 of the Judicial Panel Protocol ("JPP"). She stated that there was a very high level of excessive force used and a very high level of endangerment to the player. The Player had lunged at speed with a raised leg and the sole of his foot made contact with the opposing player at or above the latter's knee.

11. The position of the Player was as outlined by the Club in the Written Submission and their Director's oral submission at the Hearing. In summary it was submitted that the Assistant Referee had seen the physical act, being the Player's lunge towards the opposing player and that the part of the challenge which was unseen, namely the Player's contact with the opposing player, was not exceptional in nature and therefore the FT NOC was not competently raised and the Player had not committed the sending off offence of Serious Foul Play.
12. The Tribunal heard the oral submissions of the Compliance Officer and the Club Director, and considered the Written Submissions and the written and video evidence. Having done so, the Tribunal firstly found that the match officials did not witness the whole physical act of the Player's challenge against the opposing player, and in particular the Player's contact with the opposing player. The Tribunal further found that Paragraphs 13.3.3 and 13.3.4 of the JPP were satisfied because the level of excessive force used in the Player's lunge and contact with the opposing player and the endangerment to the safety of the other player in the Player's lunge and contact were very high. In making their findings in this regard the Tribunal had regard to the challenge as a whole. The FT NOC was competently raised.
13. Having decided upon the competency issue the Tribunal proceeded to determine the FT NOC. The Compliance Officer and the Club's Director did not seek to add to their previous oral submissions in any detail.
14. Serious Foul Play is defined in Laws of the Game as a tackle or challenge that endangers the safety of an opponent or uses excessive force or brutality. Law 12 states that any player who lunges at an opponent in tackling 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.
15. The Tribunal, having considered all of the written and video evidence, and the Written and oral submissions, found the FT NOC proved. They found that the Player had used excessive force in his lunge and contact with the opposing player and there was endangerment to the safety of the other player.
16. The sending off offence of Serious Foul Play was applied. The mandatory suspension of two matches for the Player's recognised team, irrespective of competition, was imposed.
17. The Determination of the Tribunal is final and binding on all Parties and is not subject to Appeal.