

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL CAUTION CLAIM BROUGHT BY:

Cumbernauld Colts FC

on behalf of

Sean Borland.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 8th October 2024 to deliberate this Claim.
2. In the 42nd minute of the Scottish Lowland Football League fixture between Cumbernauld Colts FC and Albion Rovers FC on Saturday 6th October 2024, the player was cautioned by the Referee for B1k - Commits and act of simulation.
3. The Claimants submitted a Claim of Wrongful Caution 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 Caution 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 cautioning the player.
5. In summary, the Claimant's submission was that the Player had dribbled past the first defender and felt a knock, but kept going whilst off balance as he passed the next defender. There was further contact which meant he could not keep his balance any longer.
6. The Referee did not provide a statement until after the deadline for submission had passed. The statement therefore was unable to be considered by the Fast Track Tribunal.
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 B1k – Commits an act of simulation.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred. There was sufficient contact made with the player which meant he lost balance and was unable to remain on his feet.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the caution and original sanction should be rescinded. This also rescinds the subsequent red card awarded later in the match for receiving a second caution.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.