

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Drumchapel United FC

on behalf of

Martin McNiff.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 8th November 2023 to deliberate this Claim.
2. During the Strathclyde Cup quarter final fixture between Whitletts Victoria FC and Drumchapel United FC on Saturday 4th November 2023, the player was dismissed from the field of play by the Referee for A4 – Denying the opposing team or an opponent a goal or a goal scoring opportunity as defined by Law 12.
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 written submission was that he made a comfortable pass back to his goalkeeper, whilst two opposing players closed down from their own half. He advised that he then felt a shove to his back which resulted in him being off balance and then tripping up the opposing player attempting to run onto the back pass.
6. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submissions from the Claimants. It also considered the relevant definitions from Laws of the Game in relation to the incident.
7. Having considered all the evidence, the Fast Track Tribunal decided, unanimously, that the Claimants had been partially successful in demonstrating that an Obvious Refereeing Error had occurred.
8. The Determination of the Fast Track Tribunal was that the Notice of Complaint be partially upheld, and the sending off offence and original sanction should be rescinded, and replaced with a CAUTION for a B1a offence, the player having impeded the opposing player with contact.
9. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.