

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



### IN THE MATTER OF A (WRONGFUL CAUTION) CLAIM BROUGHT BY:

**Heart of Midlothian FC (“Club”)**

**on behalf of**

**Uchechukwu Ikpeazu (“Player”)**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on 3 April 2019 to deliberate this Claim.
2. In the 62<sup>nd</sup> minute of the fixture between Heart of Midlothian FC v Aberdeen FC on 30 March December 2019 the Player was cautioned for Unsporting Behaviour; offence B1k: commits an act of simulation.
3. The Claimants submitted a Claim of Wrongful Caution behalf of the Player. In support of this Claim, the Club submitted video footage and still photographs showing the incident in question, and a written submission.
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 anticipated a pass back to the Aberdeen goalkeeper and got to the ball first, when the keeper stood on the Player’s foot, causing him to be brought down in the box. They further noted that the opposition keeper initiated this contact and the player did not seek to deceive the referee by pretending to be fouled in the box in order to gain a penalty. They submitted that the player had not committed an act of simulation and was wrongfully issued with a caution.
6. The Referee provided a statement explaining his reasoning for the caution. He submitted that the Player had fallen to the ground in the penalty area in an attempt to win a penalty kick. In real time he did not see a touch from the Aberdeen goalkeeper and was certain that the Player had been guilty of simulation.
7. The Fast Track Tribunal viewed the video footage in both real time and slow motion of the incident and carefully considered the written submissions from the Claimant. It did not consider the still photographs. It considered the definition from Laws of the Game in relation to:  
  
Simulation: Attempt to deceive the referee e.g. by feigning injury or pretending to have been fouled
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred.
9. The Fast Track Tribunal determined that the referee had made an obvious refereeing error in concluding that Mr Ikpeazu had attempted to deceive him with an act of simulation, which was a cautionable offence. Mr Ikpeazu had reached the ball ahead of the goalkeeper. In the challenge on Mr Ikpeazu it was clear that the keeper initiated contact on Mr Ikpeazu, with his foot landing on Mr Ikpeazu’s left foot causing him to fall. Mr Ikpeazu, incidentally, did not protest the challenge

Uchechukwu Ikpeazu, Heart of Midlothian FC

nor seek to influence the referee's decision to give a foul against him in order to induce the referee to provide a penalty kick to his team.

10. To support this determination the Fast Track Tribunal reviewed the single angle video footage supplied by the Claimant in real time and in slow motion. They noted that the player did not initiate the contact with his opponent, having reached the ball ahead of the keeper, and indeed he appeared to be caught in an unavoidable challenge with the opponent's foot connecting with his foot causing him to fall to the ground. He did not exaggerate the contact nor did he protest for a foul against him. There was therefore no attempt to deceive or gain an advantage for his team. As such the caution was unwarranted.
11. The Determination of the Fast Track Tribunal was that the Claim be upheld and the caution be rescinded.
12. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.