

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Hamilton Academical FC

on behalf of

Daniel O'Reilly

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 29th March 2023 to deliberate this Claim.
2. In the 55th minute of the Scottish Challenge Cup fixture between Raith Rovers FC and Hamilton Academical FC on Sunday 26th March 2023, the player was dismissed from the field of play by the Referee for Serious Foul Play as defined by Law 12 (A1).
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 had challenged for a 50/50 header, going up with his arms to generate power. In doing so, he had caught his opponent with his right hand at the lower back left of his neck. He also submitted that no elbow was used, this was a normal challenge, with no malice, intent or brutality. Furthermore, it was submitted that the player had made a legitimate attempt to play the ball and at no point intended to use excessive force, or endanger his opponent.
6. The Referee provided a statement explaining the act which he decided was an A1 offence for the tackle determined to endanger the safety of an opponent.
7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submission from the Claimant. It also considered the definition from Laws of the Game in relation to Law 12.
8. Having considered all the evidence, the Fast Track Tribunal decided, unanimously, that the Claimants had been unsuccessful in demonstrating that an Obvious Refereeing Error had occurred.
9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and original sanction should be upheld.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.