

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Hibernian FC

on behalf of

Christian Doidge

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the evening of 26th November 2021 to deliberate this Claim.
2. In the 84th minute of the Cinch Premiership fixture; Ross County FC v Hibernian FC, played on 24th November 2021, the Player was sent off for A2: Violent Conduct.
3. The Claimants submitted a Claim of Wrongful Dismissal on behalf of the Player. In support of this Claim, the Club submitted video footage and a photo of the incident, a written submission from the Club Secretary and a statement from the Player.
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 submission was that the Player had not committed a foul in the incident leading to his dismissal. They contended that there was a misunderstanding and misinterpretation of what the referee believed had happened and what the Player explains did happen. The Claimant noted that the Player had been in control of the ball and played it away, when the Ross County opponent ran into him, putting the Player off balance. They contended that the Players movement was to stop injury occurring to himself and that he used no further force required other than to protect himself as part of the overall challenge for the ball. They noted that Mr Doidge had been out for a sustained period through injury and that he had pushed using his hand and foot to simply negate the force and challenge of the Opponent to give himself enough space to regain his balance.
6. The Player's statement emphasised that he had straightened his bent leg back and had pushed the opposing player away in self defence.
7. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that after playing the ball the Player had followed through with his left foot and made contact with the mid-rift of opponent. In doing so he noted that the Player had thrust his foot into the opponents mid-rift using excessive force.
8. The Fast Track Tribunal viewed video footage in real time and slow motion of the incident leading to the dismissal. They also carefully considered the written submission from the Claimant and the referees detailed report. It also considered the definition from Laws of the Game in relation to violent conduct: *(ref IFAB Laws of the Game 2020/21)*

Violent Conduct is when a player uses or attempts to use excessive force or brutality against an opponent when not challenging for the ball. A player who when not challenging for the ball, deliberately strikes an opponent or another person on the head or face with the hand or arm is guilty of violent conduct unless

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force used was negligible. Brutality is further defined as an act which is savage, ruthless or deliberately violent.

Any player who lunges at an opponent in challenging for the ball from the front, side or behind, using one or both legs, with excessive force or endangers the safety of the opponent is guilty of serious foul play.

Having considered all the evidence, the FastTrack Tribunal decided that the Claimants were UNSUCCESSFUL in demonstrating that an Obvious Refereeing Error had OCCURRED.

STATE REASON WHY IN BRIEF FOR THIS DETERMINATION.

Having reviewed the video evidence submitted by the Claimant the Fast Track Tribunal were unable to agree with the claimant that an obvious refereeing error had occurred. They noted that the referee had a clear and uninterrupted direct view of the incident from a few yards away.

STATE REASONS TO SUPPORT DETERMINATION.

For a claim to be successful as per the JPP Annex K, section 10.10.4 the FTT must be satisfied that it is more likely than not, in all of the circumstances of the Case, that an obvious refereeing error has occurred. That is the error is 'clear, self evident or easily perceived' (*glossary JPP*).

The Fast Track Tribunal were provided with video evidence which was helpful in showing the referee's position and angle of view. The Tribunal noted that the referee was close to the incident. He also had a clear and unobstructed view and had no hesitation in determining at the time that this was a red card offence. The FTT noted there was a clear and deliberate thrust of the Players left leg into the mid-rift of the Opponent. The Panel also noted the difficulty, with video footage, of determining the level of force used by the Player in this action but were clear that the referee was in a good position to determine so and therefore could find no clear, self evident or easily perceived reason to over-rule his decision that the player had used excessive force in this challenge.

Based on this the Tribunal were unanimous that the claimant failed to demonstrate in their submission that the referee had made an obvious error resulting in the wrongful dismissal of the player.

The Tribunal did not believe this to be a frivolous claim, as considered under section 15.9 of the JPP, therefore no further sanction has been imposed.

The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.