

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Brora Rangers FC

on behalf of

Leonard Wilson

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the evening of Friday 18th March 2022 to deliberate this Claim.
2. In the Highland Football League fixture; Buckie Thistle FC v Brora Rangers FC, played on Wednesday 16th March 2022, 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 of the incident in question, a written submission, a statement from the Brora Rangers FC Manager, and a screenshot and email explanation of a Twitter Poll.
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 been sent off in error as the incident was neither brutal nor was it deliberately violent. They submitted that the player had simply tripped the opponent having spun round after being grabbed by the opponent who was attempting to stop him making a forward pass.
6. The Referee provided a statement explaining his reasoning for the dismissal. He explained that the player was being unfairly challenged for the ball, and he had blown for a free kick for Brora Rangers FC. He thought the player had retaliated by committing an act of Violent Conduct, with contact when not challenging for the ball by kicking his opponent. He had believed this to be an act of Violent Conduct as it was an intentional act of brutality, being a violent kick to the opponent's leg.
7. The Fast Track Tribunal viewed video footage in real time where the incident leading to the dismissal occurred. They also carefully considered the written submission from the Claimant. The Fast Track Tribunal disregarded the Twitter Poll and supporting statement with it as being irrelevant to their determination. It also considered the definition from Laws of the Game in relation to Violent Conduct: (*ref IFAB Laws of the Game 2021/22*).

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 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.

Leonard Wilson, Brora Rangers FC

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

For a Claim to be successful as per the JPP Annex K, section 10.10.4 the Fast Track Tribunal 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*).

Having reviewed the video evidence submitted by the Claimant the Fast Track Tribunal were able to agree with the Claimant that an Obvious Refereeing Error had occurred. From the footage provided it appeared that the player had tripped rather than deliberately kicked his opponent.

The Determination of the Fast Track Tribunal was therefore that the Claim be upheld in part, and the sending off be rescinded on the player's records. This is to be replaced by a Yellow Card offence B1b – Recklessly trips or attempts to trip an opponent.

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