

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**St Johnstone FC**

on behalf of

**Nicholas Clark**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 1<sup>st</sup> February 2023 to deliberate this Claim.
2. In the 34<sup>th</sup> minute of the Scottish Premiership fixture between Rangers FC and St. Johnstone FC on Saturday 28<sup>th</sup> January 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 there was pulling contact on him by an opposing player, immediately before the incident occurred. This contact led to the player losing his balance, the momentum of which contributed to the incident. He advised that his tackle won the ball with his left leg and the additional contact alleged with the opponent's leg as defined in the Referees statement was incorrect. Furthermore, it was submitted that the player 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, by majority, that the Claimants had been successful in demonstrating that an Obvious Refereeing Error had occurred.
9. The Determination of the Fast Track Tribunal was that the Claim be partially upheld, and the sending off offence and original sanction should be rescinded and replaced with a caution for B1(c) Recklessly tackles or challenges an opponent.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.