

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Hawick Royal Albert FC

on behalf of

Harry Fowler.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 31st December 2024 to deliberate this Claim.
2. In the 67th minute of the East of Scotland Third Division fixture between Linton Hotspur FC and Hawick Royal Albert FC on Saturday 28th December 2024, the player was dismissed from the field of play by the Referee for A1 - Serious Foul Play.
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 submission was that the player and the opponent had both raised their legs to compete for possession of the ball. The player's leg whilst initially extended, was at the point of contact flexed, and there was no excessive force used by the player in his attempt to win the ball.
6. The Referee provided a statement explaining the act which he decided was A1 - Serious Foul Play occurred where the opponent won the ball cleanly, but the player, without making contact with the ball, made a challenge from the side with a straight leg striking the opponent on the thigh with his boot and endangering the safety of the opponent.
7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submissions from the Claimants. It also considered the definition from Laws of the Game in relation to Serious Foul Play.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had been partially successful in demonstrating that an Obvious Refereeing Error had occurred. The video evidence supported the Claimant's submission and demonstrated that the player's leg is in fact bent at the point of contact. The challenge is reckless and worthy of a caution, but does not meet the criteria required for Serious Foul Play.
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Fast Track Tribunal was that the Claim be partially upheld and the sending off offence and original sanction should be rescinded, with the lesser sanction of a Caution for B1c - Recklessly tackles or challenges an opponent, imposed.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.