

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Peterhead FC

on behalf of

Andrew McDonald

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 23rd March 2022 to deliberate this Claim.
2. In around the 93rd minute of the Scottish League One fixture between Alloa Athletic FC and Peterhead FC on Saturday 19th March 2022, the player was sent off 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 Claimants submission was that the player did not commit the alleged conduct and that the Referee had made a mistake.
6. The Referee provided a statement explaining the act which he decided was Serious Foul Play as defined by the Laws of the Game.
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 the Laws of the Game in relation to Serious Foul Play which states: A tackle or challenge that endangers the safety of an opponent or uses excessive force or brutality must be sanctioned as Serious Foul Play. Any player who lunges at an opponent in challenging for the ball from the front, from the side or from behind using one or both legs, with excessive force or endangers the safety of an opponent is guilty of Serious Foul Play.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimant has successfully demonstrated that an Obvious Refereeing Error had occurred. The definition of an Obvious Refereeing Error requires that an error be clear or self-evident or easily perceived and that was established by the video evidence.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the original sanction of dismissal should be rescinded.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.