

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Stenhousemuir FC (the Club)

on behalf of

Nathaniel Wedderburn (the Player)

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on 24 January 2024 to deliberate this Claim.
2. In the 90th minute of the Scottish League Two fixture between Stenhousemuir FC and Stranraer FC on 20 January 2024 the Player was dismissed from the field of play by the Referee for 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's eyes are fixed on the ball at all times. The Player mistimes his jump and his momentum carries him into the opponent who flicks the ball on with his head before the Player makes contact. After beginning his jump the Player realises he has mistimed his jump and attempts to straighten his body to avoid the opponent. The Player is bigger in stature than the opponent. The Club accepts that the challenge was clumsy but do not agree that it reaches the threshold for endangering an opponent and so should be downgraded to a caution.
6. The Referee provided a statement explaining the act which he decided was Serious Foul Play occurred when the Player jumped into an aerial challenge with an opponent, making contact with the upper back / neck region of the opponent with his knee and arm. The Player was not in control of his body when making the challenge and the contact made was with excessive force endangering the opponent's safety.
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 UNSUCCESSFULLY demonstrated that an Obvious Refereeing Error had OCCURRED. The Player made contact on the back / neck of the opponent and was out of control when doing so thereby endangering the safety of his opponent.
9. The Determination of the Fast Track Tribunal was that the Claim be DISMISSED and the sending off offence and ORIGINAL SANCTION REIMPOSED.

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