

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Rangers FC

on behalf of

Lewis Budinauckas

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the evening of Tuesday 4th April 2023 to deliberate this Claim.
2. In the 41st minute of the Lowland Football League fixture between Rangers FC and Celtic FC, played on Sunday 2nd April 2023, the player was sent off for A4: Denying the opposing team or opponent a goal or a goal scoring opportunity.
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 and a written submission from the club.
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 not committed a foul in the incident leading to his dismissal. They contended that the player had collected the ball in the penalty area, noting he had one foot out of the penalty area, but his hands were inside the penalty area when he caught it. They submitted that they could understand why the Assistant Referee concluded the player was outside the penalty area from the distance he had called it, but this was an incorrect decision and that their video evidence supported that view.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that a long ball was played over the top of the Rangers FC defence. The player, who was the goalkeeper, came out to collect the ball before the Celtic FC attacker. He was then informed via telecoms, by the Assistant Referee, that the player had handled the ball outside the penalty area, and as the attacking player would have had a goal scoring opportunity, had this not occurred, he sent the player off for denying a goal scoring opportunity.
7. The Fast Track Tribunal viewed video footage in real time and slow motion of the incident leading to the dismissal. They also carefully considered the written submission from the Claimant.

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

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 video presented, after a number of viewings, both in real time and in slow motion, it was clear that the player had caught the ball whilst his hands were on, or within the lines of the penalty area. His leading leg was out of the penalty area whilst he caught the ball.

Lewis Budinauckas, Rangers FC

The Fast Track Tribunal were provided with video evidence which gave a good view of the incident.

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*).

The video footage supplied was annotated by the Claimant to demonstrate the position of the player's body when he caught the ball to highlight the lines of the penalty area. The Fast Track Tribunal did not find this aided their determination and were obliged to focus in clearly on the player's hands and positioning in relation to the white lines of the penalty area unhindered by annotation.

Based on the above, the Fast Track Tribunal were unanimous that the Claimant had demonstrated in their submission that the Referee had made an Obvious Refereeing Error resulting in the Wrongful Dismissal of the player.

The Determination of the Fast Track Tribunal was therefore that the Claim be upheld and the sending off be rescinded on the Player's records.

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