

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Greenock Morton FC

on behalf of

George Oakley.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the evening of Tuesday 19th December 2023 to deliberate this Claim.
2. In the 44th minute of the Scottish Championship fixture between Greenock Morton FC and Queen's Park FC, played on Saturday 16th December 2023, 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 a written statement, still photographs, and clips of video footage of the incident.
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 not opinion, that the Referee made an Obvious Refereeing Error in dismissing the player.
5. In summary, the Claimant's submission was that the player had committed a reckless trip, which is a cautionable offence rather than a red card offence for A1 - Serious Foul Play.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that he had a clear unobstructed view of the incident from ten yards. He noted that the payer lunged at the opponent, dragging his studs down his achilles with excessive force, causing him to fall to ground, and this endangered the safety of his opponent. He deemed this to be A1 - Serious Foul Play. He therefore sent the player off.
7. The Fast Track Tribunal viewed video footage in real time and slow motion of the incident leading to the dismissal from two different angles. They also carefully considered the written submission from the Claimant and club parties, and the Referees report. They also considered the definition from Laws of the Game in relation to serious foul play: (*ref IFAB Laws of the Game 2023/24*)

*A tackle or challenge that endangers the safety of the 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, side or behind, using one or both legs, with excessive force or endangers the safety of the opponent is guilty of serious foul play.

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

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Having reviewed the video evidence submitted by the Claimant, the Fast Track Tribunal were unable to agree with the Claimant that an Obvious Refereeing Error had occurred. They noted that the Referee had a clear and uninterrupted view of the challenge from a few yards away, and was therefore in a better place to determine the speed, intensity, and control of the player in the challenge than that afforded by the video evidence provided by the club to them.

The video evidence itself from behind the player appeared to show the player catching his opponent on the heel/achilles area whilst chasing him in a lunging challenge. There was no attempt to play the ball. The video evidence from in front of the player was not helpful in determining the point of contact. The two still photographs did not help the Fast Track Tribunal reach any conclusion as they appeared to be immediately before and immediately after the challenge, and did not show the challenge at all.

Whilst the force may or may not have been excessive, the challenge certainly endangered the safety of the opponent, lunging from behind and therefore met a threshold to be considered A1 - Serious Foul Play.

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 Fast Track Tribunal were provided with video evidence which gave a two angled view of the incident, both in real time and slow motion, and were unanimous that the Claimant failed to demonstrate in their submission that the Referee had made an obvious error resulting in the wrongful dismissal of the player. It was not clear, nor easily perceived, that the Referee had made an obvious error in his decision.

The Fast Track Tribunal did not believe this to be a frivolous claim, as considered under section 15.9 of the Judicial Panel Protocol, therefore no further sanction has been imposed.

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