

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF WRONGFUL CAUTION CLAIM BROUGHT BY:

Aberdeen FC (the Club)

on behalf of

Kevin Hanratty (the Player)

1. These are the written reasons for a Determination made by a Fast Track Tribunal, which convened on 27 August 2019 to deliberate this Claim.
2. In the 26th minute of the Club Academy Scotland fixture between Aberdeen FC versus Hibernian FC on 23 August 2019 the Player was cautioned by the Referee for an act of simulation. The player was subsequently dismissed for a second cautionable offence later in the match.
3. The Claimants submitted a Claim of Wrongful Caution 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 Caution 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 received a pass and cut inside the defender in the penalty box. The defender mistimed his tackle resulting in contact with the player's right leg/ankle and causing him to fall to the ground.
6. The Referee provided a statement explaining the act which he decided was simulation and where he described the player as having kicked the ball ahead before falling over when anticipating contacting.
7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submissions from the Claimants.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred. The Fast Track Tribunal was satisfied that the video evidence showed contact being made by the opponent and resulting in the player falling to the ground.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the sending off offence and original sanction should be rescinded.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.