

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Turriff United FC

on behalf of

Ewan Clark.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 12th December 2023 to deliberate this Claim.
2. In the 15th minute of the Highland Football League fixture between Inverurie Loco Works FC and Turriff United FC on Saturday 9th December 2023, the player was dismissed from the field of play by the Referee for A2 - Violent Conduct.
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 movement was a standard movement when trying to get up (albeit using leverage off his opponent's back) and the video evidence shows that no contact is made with the head or face of the opponent, the hand actually comes over the left shoulder of the opponent before using the leverage off his back to stand back up.
6. The Referee provided a statement explaining the act which he decided was A2 - Violent Conduct occurred when the player violently threw his right arm in a deliberate backwards motion in the direction of his opponent and made contact with the head of his opponent. The action of the player involved excessive force and brutality.
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 A2 - Violent Conduct.
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 were satisfied from the video evidence that any contact between the player and the head of the opponent was incidental and not a deliberate strike on the head or face of the opponent with the hand or arm.
9. The Determination of the Fast Track Tribunal was that the Claim be partially upheld and the sending off offence and original sanction should be reduced to the lesser sanction of a cautionable offence for B1j - Shows a lack of respect for the game.

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