

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A (WRONGFUL DISMISSAL) CLAIM BROUGHT BY:

Whitburn Juniors

on behalf of

Ethan Kerr

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the morning of 5th February 2025 to deliberate this Claim.
2. In the 92nd minute of the East of Scotland Premier League fixture Whitburn Juniors v Dunbar United played on 1st February the Player was sent off for A4: Denying the opposing team or opponent a goal or 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 denied the opposition a goal scoring opportunity as there was a covering defender 5-10 yards deeper in play, moving towards the attacker and they disputed that the attacking player therefore had an unobstructed diagonal run and the attacker still had 25-30 yards to get to penalty area from where he had been challenged.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that the Player pulled back the Dunbar attacking player with arms around his body and made no attempt to play the ball. The offence happened close to the sideline, 10 yards into the half, and that the nearest Whitburn defender was 10 yards away with the goalkeeper outside his own penalty box. He believed that the attacking player was denied an obvious goal scoring opportunity as he would have had a clear and unobstructed diagonal run towards the penalty area.
7. The Fast Track Tribunal viewed video footage in real time from a single angle 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 UNSUCCESSFUL in demonstrating that an Obvious Refereeing Error had OCCURRED.

STATE REASON WHY IN BRIEF FOR THIS DETERMINATION.

Having reviewed the video evidence submitted by the Claimant the Fast Track Tribunal were able to agree that the attacking player had a clear goal scoring opportunity, with the keeper well outside his penalty box and covering defender some distance from him.

Ethan Kerr, Whitburn Juniors

STATE REASONS TO SUPPORT DETERMINATION.

The Fast Track Tribunal were provided with video evidence which gave a single angle of the incident from distance.

For a claim to be successful as per the JPP Annex K, section 10.10.4 the FTT 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 clear that the referee had a clear and unobstructed view of the challenge, there was no attempt to play the ball so it was a clear foul and this denied the attacking player the opportunity to advance towards the goal where he had a clear opportunity to attack the goal with the keeper outside his box and the other Whitburn defender 10-15 yards from him at the point he was fouled.

Based on this the Tribunal were unanimous that the claimant had not demonstrated that the referee with the benefit of a clear, uninterrupted view from close range, made an obvious error. It was neither clear, self evident or easily perceived on multiple reviews of the incident that the referee had made an error.

The Determination of the Fast Track Tribunal was that the Claim be DISMISSED and the sending off offence and mandatory sanction should be applied.

The Tribunal did not believe this to be a frivolous claim, as considered under section 15.9 of the JPP, 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.