



WRITTEN REASONS OF THE FAST TRACK TRIBUNAL

IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Musselburgh Athletic F.C. (“the Claimant”)

on behalf of

Nathan Evans (“the Player”)

1. These are the written reasons for the determination made by a Fast Track Tribunal (“the Tribunal”), which convened on 21st March 2024 to determine this Claim.
2. In the 72nd minute of the East of Scotland Premier League fixture between the Claimant and Sauchie F.C., on 19th March 2024, the Player was dismissed from the field of play by the Referee for the offence A1 Serious Foul Play, as defined by the Laws of the Game.
3. The Claimant submitted a claim of Wrongful Dismissal on behalf of the Player. In support of the Claim, the Claimant supplied video footage showing the incident in question, and written statements of the Claimant’s Manager and the Player. In summary, the Claimant’s submission was that the Player challenged to get the ball and his act did not meet the criteria for the offence of Serious Foul Play. They submitted that, instead, the Player’s act merited a caution.
4. The Referee provided a written statement confirming the act which he decided was Serious Foul Play. He stated that in the challenge the player’s foot, with his studs raised, struck the shin of the opponent player with excessive force and endangered the safety of that player.
5. In order for a Claim of Wrongful Dismissal to be upheld the Tribunal must be satisfied, on a balance of probabilities, that the Referee made an Obvious Refereeing Error in dismissing the Player.
6. An Obvious Refereeing Error, as stated in Annexe F to the Judicial Panel Protocol 2023/24, is defined as being an error at a match by a Referee or a Match Official which is clear or self-evident, or easily perceived.
7. In IFAB Laws of the Game, Serious Foul Play is defined as follows:-

“Any player who lunges at an opponent in challenging for the ball from the front, from the side or from behind using one or both legs, with excessive force or endangers the safety of an opponent, is guilty of serious foul play.”
8. The Tribunal viewed the VEO video footage of the incident, supplied by the Claimant, which was filmed from the opposite side of the pitch from where the incident occurred. The Tribunal also carefully considered the Claimant’s written submission and the statements of the Referee, the Player and the Claimant’s Manager. Having done so, the Tribunal found, on a balance of probabilities, that the Player lunged at his opponent, with his leg off the ground and his studs

showing, and made contact with the opponent player's shin. The Tribunal further found that the nature of the challenge, whereby the Player struck his opponent "high", endangered the safety of the opponent. The video footage, at distance, showed the Player's act in doing so. The Player, in his written statement, accepted that his challenge was "slightly high". The Tribunal also found that the Referee was well positioned to see the challenge and make his decision. The Referee's position could be clearly seen in the footage.

9. Accordingly, having made their findings the Tribunal decided that the Referee had not made an Obvious Refereeing Error in concluding that the Player's challenge on his opponent constituted Serious Foul Play. The Referee's decision to dismiss the Player for Serious Foul Play was not a clear, self-evident or easily perceived error.
10. Therefore, the determination of the Tribunal was that the Claim be dismissed and that the sending-off offence, and mandatory sanction, be re-imposed.
11. The determination of the Tribunal is final and binding on all Parties and is not subject to appeal.