

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



### IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

**Glenafton Athletic FC**

**on behalf of**

**Jordan Allan.**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 1st April 2025 to deliberate this Claim.
2. Shortly after the final whistle in the West of Scotland Premier Division fixture between Glenafton Athletic FC and Auchinleck Talbot FC on Saturday 29th March 2025, 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 two separate items of video footage showing the beginning (but not all) of the incident in question, and the aftermath of the incident, as well as 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 Claimants' submission was that the player did not commit an act of Violent Conduct. The Claimants submitted that the player did not grab an opponent by the throat, but rather that the player pushed his opponent. The Claimants' assertion was that there was a push to the lower shoulder, but no contact to the throat area. The Claimants submitted that there was no excessive force and therefore no act of Violent Conduct.
6. The Referee provided a statement explaining the act which he decided was Violent Conduct. The Referee explained his view that the player grabbed an opponent by the throat using excessive force. The Referee considered that the act was unprovoked with no mitigating factors. The Referee confirmed that both he and the Assistant Referees had a clear and unobstructed view of the incident.
7. The Fast Track Tribunal viewed the video footage provided by the club and carefully considered the written submissions from the Claimants. It also considered the definition from Laws of the Game in relation to Violent Conduct:

*Violent conduct is when a player uses or attempts to use excessive force or brutality against an opponent when not challenging for the ball, or against a team-mate, team official, match official, spectator or any other person, regardless of whether contact is made.*

*In addition, a player who, when not challenging for the ball, deliberately strikes an opponent or any other person on the head or face with the hand or arm, is guilty of violent conduct unless the force used was negligible.*

8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had unsuccessfully demonstrated that an Obvious Refereeing Error had occurred. The Fast Track Tribunal viewed the video footage in detail and unanimously agreed that the footage did not provide the Fast Track Tribunal with clear footage of the incident in question. The first video clip ended just as the player put his hands onto the opponent, whilst the second clip showed what occurred after the incident. In the first clip, the view of the Fast Track Tribunal was that the player did appear to make contact with his opponent in the throat and neck area. The Fast Track Tribunal did not accept the Claimants' submission that contact was made on the lower shoulder. The Fast Track Tribunal noted that the Referee was in close proximity to the incident with an unobstructed view. Ultimately, the footage provided by the club provided insufficient evidence for the Fast Track Tribunal to conclude that an Obvious Refereeing Error had occurred. It was felt that the events that occurred between the two clips would have been important footage that the Fast Track Tribunal ought to have been provided with as part of its consideration of the Claim.
9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and original sanction should be re-imposed. With the Claim having been dismissed, the Fast Track Tribunal considered whether the Claim fell within the scope of Rules 11.9.37 and 11.9.38 of the Judicial Panel Protocol such that an additional match suspension should be imposed. The Fast Track Tribunal discussed this matter at length. In particular, there was detailed discussion around whether the Claim was frivolous and/or entirely without merit on the basis of the video footage provided to the Fast Track Tribunal. The Fast Track Tribunal considered that the Claim was very close to being frivolous and/or entirely without merit; but that the Claim ultimately did not fall within the scope of these rules and, as such, an additional match suspension was not imposed.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.