

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Drumchapel United FC

on behalf of

Alec Docherty

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the evening of Friday 10th February 2023 to deliberate this Claim.
2. In the 65th minute of the West of Scotland First Division fixture between Drumchapel United FC v St. Roch's, played on Wednesday 8th February 2023, the player was sent off for A1: Serious Foul Play.
3. The Claimants submitted a Claim of Wrongful Dismissal on behalf of the player. In support of this Claim, the club submitted written statements from the Club Secretary, Assistant Manager, Player and video footage of the incident.
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 not opinion, that the Referee made an Obvious Refereeing Error in dismissing the player.
5. In summary, the Claimant's submission was that the player had made an attempt to gain possession of a loose ball and at no point did his challenge endanger the safety of the opponent. The player noted that he had simply mistimed his tackle, but was always in control in the challenge, and at no point was he endangering the safety of his opponent nor was it reckless.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that he had a side on view to the incident. There was a loose ball in the middle of the pitch, falling to the player's opponent who did not have full control of it. The player went into this challenge at speed, with intensity, and his challenge was out of control. He deemed this to be Serious Foul Play. He therefore sent the player off.
7. The Fast Track Tribunal viewed video footage in real time of the incident leading to the dismissal from a single angle. They also carefully considered the written submission from the Claimant, club parties, and the Referees report. They also considered the definition from Laws of the Game in relation to serious foul play: *(ref IFAB Laws of the Game 2022/23)*.

A tackle or challenge that endangers the safety of the opponent or uses excessive force or brutality must be sanctioned as serious foul play.

Any player who lunges at an opponent in challenging for the ball from the front, side or behind, using one or both legs, with excessive force or endangers the safety of the opponent is guilty of serious foul play.

Having considered all the evidence, the Fast Track Tribunal decided that the Claimants were unsuccessful in demonstrating that an Obvious Refereeing Error had occurred.

Alec Docherty, Drumchapel United FC

Having reviewed the video evidence submitted by the Claimant the Fast Track Tribunal were unable to agree with the Claimant that an Obvious Refereeing Error had occurred. They noted that the Referee had a clear and uninterrupted view of the challenge from a few yards away, and was therefore in a better place to determine the speed, intensity, and control of the player in the challenge than that afforded by the single angle video evidence provided by the club to them. The video evidence itself did not support the assertion from the club and player that he was in control in the challenge, as it was clear that he had led into the challenge with foot raised and caught the opponent after the opponent played the ball. Whilst the force may or may not have been excessive, the challenge certainly endangered the safety of the opponent and therefore met a threshold to be considered Serious Foul Play.

The Fast Track Tribunal also noted in the submission that the club, Assistant Manager and Player all noted that the challenge was not reckless. A reckless challenge is not a red card offence, and would merit a yellow card. The Fast Track Tribunal did not consider the challenge reckless either, they considered it a lunge at the opponent whilst challenging for the ball which endangered the opponents safety.

For a Claim to be successful as per the JPP Annex K, section 10.10.4 the Fast Track Tribunal 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 Fast Track Tribunal were provided with video evidence which gave a single angled view of the incident and were unanimous that the Claimant failed to demonstrate in their submission that the Referee had made an Obvious Error resulting in the Wrongful Dismissal of the player as noted above.

The Fast Track 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. They were though concerned at the lack of understanding on the clubs part on the Laws of the Game in terms of their thinking that a reckless challenge would warrant a red card. They noted that the Referee did not reference 'reckless' in his report.

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