

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Forfar Athletic FC

on behalf of

Thomas Brindley

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the morning of 6th January 2023 to deliberate this Claim.
2. In the 47th minute of the SPFL Cinch League 2 fixture; Forfar Athletic FC v Elgin City FC on 2nd January 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 video footage of the incident in question and a written submission.
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 wins the ball in a first challenge with an opponent and then clearly played the ball forward before any contact with the Opposing player. They stated that the Player did not at any time play the ball in an uncontrolled manner.
6. The Referee provided a statement explaining his reasoning for the dismissal for serious foul play. He submitted that the Mr Brindley sprinted towards a loose ball, lunging off the ground. The Player made contact with the ball, but as the ball was bouncing, the speed and intensity of the Players challenge carried him through, with studs up, and into opponent, catching him halfway up his leg with 'great speed and intensity'. He deemed this to be a challenge that endangered the safety of the opponent. He stated the opponent continued in the game after a period of lengthy treatment.
7. The Fast Track Tribunal viewed video footage, from a single angle, in both real time and slow motion, of the incident and carefully considered the written submission from the Claimant. It 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 Claimant was Partially Successful in demonstrating that an Obvious Refereeing Error had occurred.

Thomas Brindley, Forfar Athletic FC

STATE REASON WHY IN BRIEF FOR THIS DETERMINATION.

Having reviewed the video evidence submitted by the Claimant the Fast Track Tribunal were able to see clearly that Mr Brindley had reached the loose ball ahead of his opponent and won it cleanly. The opponent did not get caught halfway up his leg but rather was caught on his foot as The Players momentum carried him forward.

STATE REASONS TO SUPPORT DETERMINATION.

The Fast Track Tribunal were provided with video evidence which gave a clear view of the incident. This showed that the Player made a sliding challenge and reached the ball whilst his opponent was at least a few feet from it. His momentum in the challenge carried him forward and into the opponent and was determined to be reckless rather than one with excessive force or brutality.

The Determination of the Fast Track Tribunal was that the Claim be PARTIALLY UPHELD, with the red card rescinded and a caution to be recorded on the Player's records for B1c; Recklessly tackles or challenges an opponent.

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