

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Penicuik Athletic FC

on behalf of

Scott-Taylor MacKenzie.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 14th November 2023 to deliberate this Claim.
2. Following the conclusion of the East of Scotland Premier Division fixture between Sauchie Juniors FC and Penicuik Athletic FC on Saturday 11th November 2023, 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 video footage showing the incident in question and 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 Claimant's submission was that the player did not initiate any physical contact with the Sauchie Juniors FC member of Team Staff, or place his hands on him.
6. The Referee provided a statement explaining the act which he decided on the advice of his Assistant Referee was A2 - Violent Conduct occurred as the player had committed an act against the Sauchie Juniors FC member of Team Staff.
7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submissions from the Claimants. It also considered the definition from Laws of the Game in relation to A2 - Violent Conduct.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred on the basis there was no video evidence showing the player initiating conduct with the Sauchie Juniors FC member of Team Staff.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the sending off offence and original sanction should be rescinded.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.