

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Name of Club - Stranraer FC

on behalf of

Name of Player - David Dangana

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on 2nd October 2019 to deliberate this Claim.
2. In the 76th minute of the Ladbrokes League One fixture between Airdieonians FC and Stranraer FC on 28th September 2019 the Player was dismissed from the field of play by the Referee for 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 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 showed no intent or malice towards the opposing player and that there was no danger to the player and that the Claimant's action did not constitute serious foul play.
6. The Referee provided a statement explaining the act which he decided was Serious Foul Play in that he leapt several feet in the air striking the opposing player in the upper body with his feet and endangered the opposing player.
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 Serious Foul Play.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred in that there was no intent to injure by the Claimant, he did not see the opposing player until he had started his own movement to the ball and in fact, when he did see the opposing player he attempted to stop his movement upwards towards the ball, striking the opposing player on the leg.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld in part, and the sending off offence and original sanction should be rescinded and the lesser sanction of a caution for a reckless challenge be substituted.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.