

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Cove Rangers FC

on behalf of

Harry Milne

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 16th March 2022 to deliberate this Claim.
2. In the 35th minute of the Scottish League One fixture between Cove Rangers FC and Clyde FC on Saturday 12th March 2022, the player was dismissed from the field of play by the Referee for denying an opponent a goal or goal scoring opportunity.
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 commit the offence alleged and that the speed at which the ball rebounded from him suggested that it had struck the top of his chest below his shoulder. Had it struck his arm it would have dropped to his feet.
6. The Referee provided a statement explaining the act which he decided was denying an opponent a goal or a goal scoring opportunity occurred, when the ball struck the upper arm of the player and at the time his arm was away from his body.
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: Denying an opponent a goal or a goal scoring opportunity.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had been unsuccessful in demonstrating that an Obvious Refereeing Error had occurred on the basis that the video footage provided did not give clear enough evidence to persuade the Fast Track Tribunal that an Obvious Refereeing Error had occurred.
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. Further, the Fast Track Tribunal decided that the Claim was not frivolous and did not fall to be dealt with in terms of paragraph 13.21.8.1.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.