

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Beith Juniors FC

on behalf of

Jordan Duffy

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 23rd March 2022 to deliberate this Claim.
2. In around the 93rd minute of the West of Scotland Premier Division fixture between Beith Juniors FC and Troon FC on Saturday 19th March 2022, the player was sent off 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 Claimants submission was that the player did not commit the alleged conduct and that the Referee had made a mistake.
6. The Referee provided a statement explaining the act which he decided was Violent Conduct as defined by the Laws of the Game.
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 the Laws of the Game in relation to Violent Conduct which states: Violent Conduct is when a player uses or attempts to use excessive force or brutality against an opponent when not challenging for the ball, or against a team-mate, team official, match official, spectator, or any other person, regardless of whether contact is made. In addition, a player who, when not challenging for the ball, deliberately strikes an opponent or any other person on the head or face with the hand or arm is guilty of Violent Conduct unless the force used was negligible.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimant has successfully demonstrated that an Obvious Refereeing Error had occurred. The definition of an Obvious Refereeing Error requires that an error be clear or self-evident or easily perceived and that was established by the video evidence.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the original sanction of dismissal should be rescinded.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.