

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Brechin City FC**

**on behalf of**

**Ewan Loudon**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the morning of 6<sup>th</sup> January 2023 to deliberate this Claim.
2. In the 94<sup>th</sup> minute of the Highland Football League fixture; Banks of Dee FC v Brechin FC, played on 30<sup>th</sup> December 2022, 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 a written statement and video footage, plus a written submission from the Club Manager and a statement from the Player. They also provided two still photographs of the incident.
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 had not committed a foul in the incident leading to his dismissal. They contended that the Opponent had taken a heavy touch which allowed the Player to run towards the Opponent to get a block in in order to prevent the Opponent from playing the ball down the sideline. The Player stated in his submission that he went for the ball with his left foot, had no intent to make contact, and his back foot slipped on wet Astro turf, having already got a touch on the ball. The Manager also reinforced there was no intent nor malice in the challenge and no injury to the opponent.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that the Player had tackled the Opponent from behind when he had possession of the ball. He noted that the Player had to sprint fast to get to Opponent and with sustained speed, lunged with a straight leg, scissor tackling and entangling the Opponent between both of the Players legs. He further reported that the Players first leg approached at knee height, second at calf length whilst challenging for the ball. He deemed it to be a challenge with excessive force and endangering safety of Opponent.
7. The Fast Track Tribunal viewed video footage in real time of the incident leading to the dismissal. They also carefully considered the written submission from the Claimant and the referees detailed report. 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.*

Ewan Loudon, Brechin City FC

Having considered all the evidence, the Fast Track Tribunal decided that the Claimants were UNSUCCESSFUL in demonstrating that an Obvious Refereeing Error had OCCURRED.

**STATE REASON WHY IN BRIEF FOR THIS DETERMINATION.**

Having reviewed the single angle video evidence submitted by the Claimant the Fast Track Tribunal were unable to agree with the claimant that an obvious refereeing error had occurred. They noted that the referee had a clear and uninterrupted direct view of the incident from a few yards away. The Video supplied was not particularly helpful in seeing the full challenge as it was shot from behind the dug out, with a member of the coaching staff directly in front of the camera at the point of the challenge. The FTT were only able to view the top halves of the players rather than the full challenge. They did note two photos of the challenge were provided.

**STATE REASONS TO SUPPORT DETERMINATION.**

For a claim to be successful as per the JPP Annex K, section 10.10.4 the FTT must be satisfied that it is more likely than not, in all of the circumstances of the Case, that an obvious refereeing error has occurred. That is the error is 'clear, self evident or easily perceived' (*glossary JPP*).

The Fast Track Tribunal were provided with video evidence which gave a single angle and partially blocked view of the incident. The video supplied was though helpful in showing the referees position and angle of view. The Tribunal noted that the referee was close to the incident. He also had a clear and unobstructed view and had no hesitation in determining at the time that this was a red card offence.

The two still photographs provided were unhelpful as they captured only a moment presumably in the challenge and thus did not allow the FTT the opportunity to determine the force, speed or direction of the challenge to support the Claimants assertion that an obvious referring error had occurred.

Based on this the Tribunal were unanimous that the claimant failed to demonstrate in their submission that the referee had made an obvious error resulting in the wrongful dismissal of the player.

The Tribunal did not believe this to be a frivolous claim, as considered under section 15.9 of the JPP, therefore no further sanction has been imposed.

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