

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Queen's Park FC

on behalf of

William Tizzard

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on the morning of Wednesday 6th September 2023 to deliberate this Claim.
2. In the 33rd minute of the Scottish Championship fixture; Raith Rovers FC v Queen's Park FC, played on Saturday 2nd September 2023, the player was sent off for A4: Denying the opposing team or an opponent a goal or goal scoring opportunity as defined by Law 12.
3. The Claimants submitted a Claim of Wrongful Dismissal on behalf of the player. In support of this Claim, the club submitted video footage of the incident in question, still photographs, and a written submission from the club and player.
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 red card offence in the incident leading to his dismissal. They contended that the distance between the offence and the goal meant that the attacking player still had half the pitch between him and the goal, and that the ball was in the air and not under the opponents control when he was fouled. They further submitted that the No 5 of Queen's Park FC was closer to the goal than the attacker, and would have got across to challenge him. They also noted in their submission that there was no video footage of the goalkeepers position, but given the flight of the ball, he must have had a chance of reaching it ahead of the attacking player.
6. The Referee provided a statement explaining his reasoning for the dismissal. He submitted that the ball had bounced over the player and his opponent in the Raith Rovers FC half. As the opponent ran onto the ball which was 10 yards into the attackers half, the player pulled his opponent from behind resulting in the opponent falling to the ground. He noted there was no covering Queen's Park FC defender who was in position to have prevented the opponent taking possession of the ball, and that had the attacking player not been pulled, he would have had a clear goal scoring opportunity. He noted also that he was in communication with the Assistant Referee who also believed that the foul had denied an obvious goalscoring opportunity.
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.

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

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Having reviewed the video evidence submitted by the Claimant, the Fast Track Tribunal were unable to agree with the Claimant that an Obvious Refereeing Error had occurred. From the video presented it was clear that the Referee had a clear and unobstructed view of the incident and it was reasonable of him to have made the decision to have dismissed the player for the A4 offence.

The Fast Track Tribunal were provided with video evidence which gave a good view of the incident.

For a Claim to be successful as per the JPP Annex K, section 10.10.4 the Fast Track Tribunal 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 video footage supplied showed clearly that the player pulled his opponent from behind whilst the opponent had the advantage in getting towards the ball before the player. The Claimants submitted that another covering defender was in position to have challenged the attacking opponent for the ball. The video evidence did not support this submission. It was not clear or easily perceived to the Fast Track Tribunal that the covering defender could, or would, have been able to have made the challenge had the attacking player not been fouled. Additionally, there was no evidence provided to support the Claimants view that the goalkeeper must have had a chance of reaching the ball ahead of the attacking opponent as he was not seen at all in the video. It was therefore impossible for the Fast Track Tribunal to agree that the goalkeeper would have prevented a goalscoring opportunity.

It was neither clear, self-evident, or easily perceived on multiple reviews of the incident, that the Referee had made an error in dismissing the player, and this was indeed the view of the Assistant Referee also at the time of the offence.

Based on the above the Fast Track Tribunal were unanimous that the Claimants had not been able to demonstrate in their submission that the Referee had made an Obvious Error resulting in the Wrongful Dismissal of the player.

The Determination of the Fast Track Tribunal was that the Claim be dismissed, and the sending off offence and mandatory sanction should be applied.

The Fast Track 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.