

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Montrose FC

on behalf of

Sean Dillon

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 3rd November 2021 to deliberate this Claim.
2. In the 75th minute of the SPFL League One fixture between Peterhead FC and Montrose FC on Saturday 30th October 2021, the player was dismissed from the field of play by the Referee 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 Claimant's submission was that the player moved towards the opponent to get tight on him as he was moving to receive the ball. The opponent stopped and the player ran into him accidentally, resulting in both player and opponent falling to the ground.
6. The Referee provided a statement explaining the act which he decided was Violent Conduct. He stated that he did not see the incident and was alerted to it by his AR2 who advised him to stop play and issue a red card to Montrose number 14 for Violent Conduct.
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 Violent Conduct.
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. The Fast Track Tribunal were unanimous in the view that there was insufficient clear evidence to justify a decision that an Obvious Refereeing Error had occurred. The video evidence did not provide a clear picture of what had taken place and the Fast Track Tribunal noted that the Assistant Referee was shown in the video to be in a good position to assess the incident.
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. The Fast Track Tribunal did not view the Claim as frivolous and that paragraph 13.13.8 did not fall to be considered.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.