

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Hibernian FC**

**on behalf of**

**Ryan Porteous**

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 64th minute of the Scottish Premiership fixture between Aberdeen FC and Hibernian FC on Saturday 19th March 2022, the player was sent off for A4 - Denying the opposing team or an opponent a goal or an obvious 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 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 A4 - Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity as defined by Law 12.
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 law 12 which states: Where a player commits an offence against an opponent within their own penalty area which denies an opponent an obvious goal-scoring opportunity and the Referee awards a penalty kick, the offender is cautioned if the offence was an attempt to play the ball; in all other circumstances (e.g. holding, pulling, pushing, no possibility to play the ball etc) the offending player must be sent off.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimant has not 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 not established by the video evidence.
9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the original sanction of dismissal should be upheld. The Claim is considered to be misconceived and one that had no prospect of success and accordingly it is understood that an additional one match ban sanction will apply to the player.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.