



## **WRITTEN REASONS OF THE FAST TRACK TRIBUNAL**

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

**Benburb FC**

**on behalf of**

**Daniel McLean**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 2<sup>nd</sup> February 2022 to determine this Claim.
2. In the 68th minute of the West of Scotland Premier Division fixture between Pollok FC and Benburb FC on Saturday 29<sup>th</sup> January 2022, the player was dismissed from the field of play by the Referee for A4: Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity as defined by Law 12 of IFAB Laws of the Game.
3. The Claimant submitted a Claim of Wrongful Dismissal on behalf of the player. In support of this Claim, the Claimant submitted video footage showing the incident in question as well as a written submission.
4. In order for a Claim of Wrongful Dismissal to be upheld, the Fast Track Tribunal must be satisfied, on a 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 Referee, after consultation with an Assistant Referee, made an incorrect decision and that this was evidenced in the video footage.
6. The Referee provided a written statement confirming the act which he decided was the offence of Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity by handball. In particular the Referee stated that the player, being the Claimant's goalkeeper, had taken the ball into his hands outside the penalty area and, in doing so, stopped the nearest opponent player from gaining control of the ball and having a clear and obvious goal scoring opportunity.
7. The Fast Track Tribunal considered the meaning of "Obvious Refereeing Error", as stated in Annex F to the Judicial Panel Protocol 2021-22, being an error at a match by a Referee or a Match Official which is clear or self-evident, or easily perceived.
8. The Fast Track Tribunal also considered the definition from IFAB Laws of the Game in relation to Denying the opposing team or an opponent a goal or an obvious goal scoring opportunity, as follows:
  - Where a player denies the opposing team a goal or an obvious goal-scoring opportunity by a deliberate handball offence the player is sent off wherever the offence occurs.
  - 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

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circumstances (e.g. holding, pulling, pushing, no possibility to play the ball etc.) the offending player must be sent off.

- A player, sent off player, substitute or substituted player who enters the field of play without the required Referee's permission and interferes with play or an opponent and denies the opposing team a goal or an obvious goal-scoring opportunity is guilty of a sending-off offence.
  - The following must be considered:
    - distance between the offence and the goal
    - general direction of the play
    - likelihood of keeping or gaining control of the ball
9. The Fast Track Tribunal carefully considered the video footage of the incident, supplied by the Claimant, as well as the Referee's statement and the Claimant's submission. Having done so, the Fast Track Tribunal found that the player had taken the ball into his hands when the ball was just inside the penalty area. The player's body was partly inside the area. The Fast Track Tribunal found that had the player not been able to gather the ball in his hands inside the area it was reasonable to expect that he could have attempted to clear the ball using a foot or another part of his body, and prevent his nearest opponent player from gaining control of the ball. The player did not need to use an alternative method of keeping control of the ball as he took it into his hands when it was inside the area.
  10. Given that the ball was inside the penalty area when it was handled by the player, the Fast Track Tribunal found that a free kick, to the opponent team, should not have been awarded and the player should not have been dismissed.
  11. The Fast Track Tribunal further found that both the Referee and Assistant Referee's views of the incident were at distance and may have been impaired by such distance and the quick movements of the player and his immediate opponent.
  12. Accordingly, having considered all of the evidence, the Fast Track Tribunal found, on a balance of probabilities, that the Referee had made an Obvious Refereeing Error in concluding that the player took the ball into his hands outside the penalty area and denied the opponent's player an obvious goal scoring opportunity, and thereafter, dismissing the player.
  13. In making their findings the Fast Track Tribunal, in particular, had the benefit of viewing video footage when such visual assistance was not available to the Referee and Assistant Referee at the time that the decision to dismiss the player was made.
  14. Therefore the Determination of the Fast Track Tribunal was that the Claim be upheld and that the sending off offence and mandatory sanction be rescinded.
  15. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to appeal.