

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Inverness Caledonian Thistle FC**

on behalf of

**Sean Welsh**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 29<sup>th</sup> March 2023 to deliberate this Claim.
2. In the 55<sup>th</sup> minute of the Scottish Championship fixture between Inverness Caledonian Thistle FC and Partick Thistle FC on Friday 24<sup>th</sup> March 2023, the player was dismissed from the field of play by the Referee for Serious Foul Play as defined by Law 12 (A1).
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 written submission was that there was no malice in this tackle. It was submitted that the player was chasing back with intent to trip his opponent, stop the attack and accept a booking. Therefore, this challenge was referred to as only a trip, that was neither high, nor dangerous. Furthermore, it was submitted that the player at no point intended to use excessive force, or endanger his opponent with this trip.
6. The Referee provided a statement explaining the act which he decided was an A1 offence for the tackle determined to endanger the safety of an opponent.
7. The Fast Track Tribunal viewed the video footage of the incident and carefully considered the written submission from the Claimant. It also considered the definition from Laws of the Game in relation to Law 12.
8. Having considered all the evidence, the Fast Track Tribunal decided, unanimously, that the Claimants had been partially successful in demonstrating that an Obvious Refereeing Error had occurred.
9. The Determination of the Fast Track Tribunal was that the Claim be partially upheld and the sending off offence and original sanction should be rescinded, and replaced with a caution for a B1b offence – Recklessly trips or attempts to trip an opponent.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.