

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Spartans FC

on behalf of

Sam Jones

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 18th August 2021 to deliberate this Claim.
2. In around the 81st minute of the Scottish Lowland League fixture between Dalbeattie Star FC and Spartans FC on Saturday 14th August 2021 the Player was sent off for Serious Foul Play.
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 an act of Serious Foul Play and that the Referee had made a mistake.
6. The Referee provided a statement explaining the act which he decided was Serious Foul Play.
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 Serious Foul Play which states:

“A tackle or challenge that endangers the safety of an opponent or uses excessive force or brutality must be sanctioned as Serious Foul Play”.

“Any player who lunges at an opponent in challenging for the ball from the front, from the side or from behind using one or both legs, with excessive force or endangers the safety of an opponent is guilty of Serious Foul Play. A tackle or challenge that endangers the safety of an opponent or uses excessive force or brutality must be sanctioned as Serious Foul Play”.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimant had 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 not considered to be misconceived or one that had no prospect of success.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.