

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Whitehill Welfare FC

on behalf of

Sean Ballard.

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 20th February 2024 to deliberate this Claim.
2. In the 80th minute of the East of Scotland First Division fixture between Whitehill Welfare FC and Dunipace FC on Saturday 17th February 2024, the player was dismissed from the field of play by the Referee for A1 - 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 Claimant's submission was that the player tackled the opponent from the side and was not reckless, dangerous, or high, and that this was not a straight leg out of control challenge.
6. The Referee provided a statement explaining the act which he decided was A1 – Serious Foul Play was a lunge by the player, which resulted in him making contact with the opponent in the middle of his shin area using excessive force.
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 A1 - Serious Foul Play.
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 satisfied that the player had used excessive force in his tackle, making contact with the opponent's leg well above ankle level.
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 were of the view that this Claim did not fall to be dealt with under paragraph 13.21.8.1 of the Judicial Panel Protocol
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.