

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Berwick Rangers FC (the Club)

on behalf of

Ryan Finnie (the Player)

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 9th December 2020 to deliberate this Claim.
2. In the first minute of the Lowland League fixture between Berwick Rangers FC and Kelty Hearts FC on Saturday 5th December 2020, the Player was dismissed from the field of play by the Referee for denying an obvious goal scoring opportunity.
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 got on the wrong side of the attacking player when chasing a ball played through towards the Berwick Rangers FC goal some 30 yards out in the centre of the pitch, and the attacking player fell to the ground without any contact from the Player, and even if the referee deemed a foul had been committed, there was another Berwick Rangers FC player well positioned to intercept the attacker.
6. The Referee provided a statement explaining the act which he decided was denying an obvious goal scoring opportunity. He stated that a long aerial pass was played over the head of the Player towards the Berwick Rangers FC goal. The Player was chasing back alongside a Kelty Hearts FC attacker and a failed attempt to clear the ball allowed the attacker to overtake the Player in the chase for the ball. The Player then pushed the attacker in the back, causing the attacker to fall to the ground. The referee deemed this to be a foul, denying the attacker a goal scoring opportunity, as he was about to control the ball on his chest in the centre of the pitch 30 yards from goal, and the nearest other Berwick Rangers FC player was not in a position to challenge him to prevent him having a scoring opportunity.
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 denying an opponent a goal scoring opportunity
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 Tribunal was unanimously of the view that the video footage submitted did not provide the Tribunal with evidence which substantiated the Claimant's assertion, on the balance of probability, that an obvious refereeing error had occurred, given the angle of the view of the incident provided.

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. Further the Tribunal decided that the unsuccessful Claim did not meet any of the criteria which would merit it being dealt with in terms of para 13.13.8.1 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.