

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Dundee United FC**

**on behalf of**

**Anthony Watt**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 2<sup>nd</sup> November 2022 to deliberate this Claim.
2. In the 40th minute of the Scottish Premiership fixture between Dundee United FC and Motherwell FC on Saturday 29<sup>th</sup> October 2022, 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 incident leading to the dismissal of the player does not meet the requirements to constitute Serious Foul Play. Both the player and the opponent make the same movement towards the ball. The player makes contact with the ball before trying to avoid contact with the opponent by reducing the intensity of which he is moving towards the opponent, and moving the direction of his foot towards the ground, thus removing his studs from any direct contact with the opponent. As such there is no excessive force or brutality used, and the actions of the player show a clear attempt to avoid any potential harm to the opponent. From this the club argued that the incident was no more than a cautionable offence under disciplinary rule 8.1 – Unsporting Behaviour.
6. The Referee provided a statement explaining the act which he decided was the player committing a challenge that endangered the safety of an opponent, meeting the criteria for Serious Foul Play. The studs of the boot of the player made contact high on the leg (just below the knee) of the opposing player.
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 and B1 Unsporting Behaviour.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had partially successfully demonstrated that an Obvious Refereeing Error had occurred. The Fast Track Tribunal considered on balance that the player had made an attempt to play the ball. It was clear that the player moved his foot and reduced speed in an attempt to avoid contact with the opponent. This resulted in minimal contact and prevented a significant collision between the player and the opponent, and the possibility of serious injury. For these reasons the Fast Track Tribunal did not consider that the incident met the requirements for Serious Foul Play. The Fast

Track Tribunal did, however, consider that the incident did meet the criteria for B1C Recklessly tackles or challenges an opponent as the challenge was reckless.

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 cautionable offence for B1C Recklessly tackles or challenges an opponent.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.