

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Largs Thistle FC**

**on behalf of**

**Cory Hughes**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Wednesday 16th February 2022 to deliberate this Claim.
2. In the 25th minute of the West of Scotland Premier Division fixture between Largs Thistle FC and Kilwinning Rangers FC on Saturday 12th February 2022, the player was dismissed from the field of play by the Referee for Violent Conduct.
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 collided with his opponent in a tackle and the opponent landed on top of him, the opponent's foot making contact with the player's forehead. The player tried to turn over to protect himself and any contact he made with the opponent was entirely accidental.
6. The Referee provided a statement explaining the act which he decided had occurred when the players came together in a tackle, and the opponent accidentally landed on top of the player. The player then deliberately kicked out at the opponent striking him on the body in an act of brutality.
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: Violent Conduct.
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 was of the view that the video footage provided did not give a clear view of the incident sufficient to allow the Fast Track Tribunal to decide if a Clear and Obvious Refereeing Error had taken place.
9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and the original sanction reimposed. The Fast Track Tribunal did not view the Claim as frivolous and decided it did not fall to be dealt with in terms of Paragraph 13.21.8.1 of the Protocol.

10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.