

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

**Heart of Midlothian FC**

**on behalf of**

**Alan Forrest.**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Thursday 4th January 2024 to deliberate this Claim.
2. In the 51st minute of the Scottish Premiership fixture between Heart of Midlothian FC and Ross County FC on Saturday 30th December 2023, the player was cautioned by the Referee for the offence B1k - Commits and act of simulation.
3. The Claimants submitted a Claim of Wrongful Caution 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 Caution 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 lost balance and fell to the ground as a result of contact by the opposing team's goalkeeper on the player's left foot.
6. The Referee provided a statement explaining the act which he decided was simulation, occurred as the player played the ball past the opposing team's goalkeeper, and then ran/leaped past him to go after the ball, and fell to the ground. From the Referee's angle, the goalkeeper slid out but appeared from the Referee's view to lower his leg to try and avoid contact with his opponent. The Referee did not see any contact. The Referee advised that he was asked by the VAR to delay the restart to allow VAR to look at the incident. The Referee described to the VAR what he had seen, and was then told "Check complete" as there was no evidence to prompt an on-field review.
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 attempts to deceive the referee, e.g. by feigning injury or pretending to have been fouled (simulation).
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred, as the video evidence supported the fact that the goalkeeper had made contact with the player, and it was this contact which caused the player, who was running at considerable speed, to lose his balance and fall to the ground.
9. The Determination of the Fast Track Tribunal was that the Claim be upheld and the original sanction of a caution for B1k – Commits an act of simulation, should be rescinded.

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