

## WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



**IN THE MATTER OF A (WRONGFUL DISMISSAL) CLAIM BROUGHT BY: Oban Anderson.**

**Tranent Juniors**

**on behalf of**

**Oban Anderson**

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on Tuesday 8th November 2022 to deliberate this Claim.
2. In the 72nd minute of the Lowland Football League fixture between Tranent Juniors FC v Rangers B FC on Sunday 6th November 2022 the player was dismissed from the field of play by the Referee for 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 had tried to win the ball, and that he had run alongside the opposition player, who unfortunately was just too quick for him and as a result he unfortunately missed the ball and caught his trailing foot. The player's position is that he has a very good disciplinary record and that in recent seasons that his number of cautions received would be minimal. The player stated that there was no excessive force, nor was the tackle high or dangerous. The player accepted that he fully deserved a yellow card, but that there was no way that he was trying to hurt or endanger an opponent.
6. The Referee provided a statement explaining the decision he had made. The Referee stated that he observed that after a promising attack by Rangers FC no. 8, advancing towards the direction of the Tranent Juniors FC penalty area, the player lunged at his opponent from behind, with the studs of his left boot forcefully making contact with the back of his opponent's achilles and as a result endangered the safety of his opponent when making the challenge. The Referee stated that he was around five yards from this incident and had a clear unobstructed view of the incident and point of contact. The Referee also stated that the Rangers FC No 8 was not braced for impact when this challenge occurred as he was in front of the Tranent Juniors FC no.8, and could not see this coming. The Referee stated that he showed the player the red card for Serious Foul Play.
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 sending off offences.
8. Having considered all the evidence, the Fast Track Tribunal decided that the Claimants had unsuccessfully demonstrated that an Obvious Refereeing Error had occurred. The Fast Track

Oban Anderson, Tranent Juniors FC

Tribunal examined the available video evidence in detail, and noted the terms of the submissions by the player and also the terms of the Referee's report. The Fast Track Tribunal observed that from the video footage that it was clear that the Referee was well-placed to deal with the incident being located within a few yards of the incident as it occurred. It was also observed that the Referee's view was unobstructed at the material time. The Fast Track Tribunal noted that in terms of Rule 13.18 of the Scottish Football Association Judicial Panel Protocol 2022/2023 that a Claim shall only be upheld at a Fast Track Principal Hearing where the Tribunal is satisfied by way of evidence and not opinion and upon the balance of probabilities that an Obvious Refereeing Error was made and that the burden of proof lies upon the Claimant.

The Referee clearly had a very good view of the incident and he was at the time of the incident in very close proximity thereto. His view was unobstructed and he was able to provide a clear account of the reasons why he considered that the player had been guilty of Serious Foul Play. The Referee clearly explained his reasoning for coming to this conclusion, namely that:

- The player lunged at his opponent from behind who would have been unaware of and unprepared for this action;
- That the player made contact with his studs on the back of his opponent's achilles.

The Referee was clearly entitled to come to this conclusion on the basis of what he observed and there was nothing in the video footage which was in any way inconsistent with the Referee's interpretation of the player's actions. The Fast Track Tribunal accordingly concluded that the Claimant had not established on a balance of probabilities that the Referee had made an Obvious Referring Error. The Fast Track Tribunal noted that the Claimant relied upon another decision of a differently constituted Tribunal, suggesting that the two incidents were similar in nature and that in the interests of consistency that a similar outcome should be reached. Whilst the Fast Track Tribunal observed the other footage, it was satisfied that each individual incident should be looked at according to its own merits, and that in the present instance that were significant differences between the incidents. Accordingly the Fast Track Tribunal were satisfied that the Claim should be dismissed.

9. The Determination of the Fast Track Tribunal was that the Claim be dismissed and the sending off offence and original sanction should be reimposed.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.