

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Name of Club (the Club) Aberdeen FC

on behalf of

Name of Player (the Player) Sam Cosgrove

1. These are the written reasons for a Determination made by a Fast Track Tribunal, which convened on 24 December 2019 to deliberate this Claim.
2. In the 69th minute of the Ladbrokes Premiership fixture between Celtic FC and Aberdeen FC on 21 December 2019 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 did not use excessive force or brutality; there was no intent or malice in his challenge; he made no contact with the player with his tackling right leg; his tackle did not endanger the safety of his opponent.
6. The Referee provided a statement explaining the act which he decided was serious foul play was of high intensity, exceeded the necessary force endangering the safety of his opponent, The player was not in control as he left the ground and acted without any regard for the safety of his opponent.
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 Serious Foul Play.
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 on basis that Tribunal was of the view that the Player tackled his opponent at excessive speed with no regard to his safety; was not in control as he left the ground and endangered the safety of his opponent.
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 considered the terms of the Judicial Panel Process para 13.13.8.1 and made no further order.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.