

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



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

Rangers FC (the Club)

on behalf of

Alfredo Morelos (the Player)

1. These are the reasons for a Determination made by a Fast Track Tribunal, which convened on 8 August 2018 to deliberate this Claim.
2. In the 12th minute of the SPFL Premiership fixture Aberdeen FC v Rangers FC on 5th August 2018, the Player was dismissed from the field of play by the Referee for Violent Conduct on the advice of Assistant Referee 1.
3. The Club 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 the 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 flicked out a leg at his opponent, but only as he tried to recover his footing, his opponent having barged into him twice. The Claimant accepts that contact was made by the Player but that it was negligible and the Player did not use excessive force. The Claimant submitted that video evidence shows that his opponent did not react to the Player's contact and was not injured by it. The Claimant's submission was that an Obvious Refereeing Error had occurred and the Player should have been cautioned for unsporting behaviour instead of being sent off for Violent Conduct.
6. The Referee and Assistant Referee provided statements explaining the act, which they decided were committed by the Player and justified the sending off offence recorded. In summary, the statements confirmed that the Player had been dismissed by the Referee, on the advice of the Assistant Referee, for kicking his opponent on the back of the leg using excessive force, when not challenging for the ball.
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 the Laws of the Game in relation to Violent Conduct, which states: Violent conduct is when a player uses or attempts to use excessive force or brutality against an opponent when not challenging for the ball, or against a team-mate, team official, match official, spectator or any other person, regardless of whether contact is made.

Having considered all evidence, the Fast Track Tribunal was unanimous in its Decision that the Claimants had successfully demonstrated that an Obvious Refereeing Error had occurred. The Tribunal accepted the Club's submission that the video footage clearly showed that the force of the kick by the Player towards an opponent was not excessive and did not use brutality. Therefore, it could not constitute a sending off offence of Violent Conduct.

In his submissions, the Assistant Referee's comment indicated that he had a restricted view of the incident. That was given credence by the video footage which clearly shows both incidents before the particular action of the Player and the outcome of it.

The video footage shows an earlier barge on the Player that the Tribunal believe, had it been noted it would have been acted upon. They also show the follow through from the kick out by the Player. Though there was contact, it was limited confirming a more petulant reaction than violent conduct.

On the basis of the video footage and the submissions, the Tribunal decided that an Obvious Refereeing Error had occurred brought about by the Referee being unsighted and the Assistant Referee having a limited view.

The Tribunal was also mindful of the recent guidance provided that sought to differentiate between petulance and Violent Conduct. The Tribunal was of the view that in the circumstances this was the former rather than the latter.

8. The Determination of the Fast Track Tribunal was that the sending off offence and mandatory sanction should be rescinded. The Tribunal further considered that the lesser sanction of a cautionable offence for Unsporting Behaviour (Recklessly kicks or attempts to kick an opponent) be applied.
9. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.