

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A MISTAKEN IDENTITY CLAIM BROUGHT BY:

Rangers FC (the Claimant)

on behalf of

Daniel Candeias (the Player)

1. These are the written reasons for the Determination made by a Fast Track Tribunal ("the Tribunal"), which convened on 7th November 2018 to determine this Claim.
2. In the 90th minute of the Scottish Premiership fixture between St Mirren FC and the Claimant, Rangers FC, on 3rd November 2018 the Player was cautioned for a second time by the Referee and dismissed from the field of play. The offence, in respect of which the second caution was given, was unsporting behaviour.
3. The Claimant made a Claim of Mistaken Identity. In support of the Claim the Claimant submitted video footage showing the incidents in question, a written submission and a written statement from the Player.
4. The Tribunal made their determination in respect of the ground of Mistaken Identity. In order for a Claim of Mistaken Identity to be upheld, the Tribunal must be satisfied by way of evidence, and on a balance of probabilities, that the Referee made an Obvious Refereeing Error such that Mistaken identity occurred.
5. Obvious Refereeing Error, as stated in Annex F to The Judicial Panel Protocol 2018-19, is defined as being an error at a match by a referee or a match official which is clear or self-evident, or easily perceived.
6. In summary, the Claimant's submission was that there was contact between the Player and the St Mirren FC player No 35, A. Ferdinand, and that the latter was the perpetrator of the offence in respect of which the Player was cautioned.
7. The Referee provided a statement confirming the nature of the offence in respect of which the Player was cautioned for a second time. He confirmed that he issued the caution to the Player as at the time he believed that the Player had been involved in two incidents, making gestures towards the opponent, the St Mirren FC No 35, after the scoring of a goal and becoming further involved with the opponent as he made his way upfield after celebrating the goal.
8. The Tribunal viewed the video footage of the incidents, supplied by the Claimant, and carefully considered the Claimant's written submission and the written statement of the Player. Having done so, the Tribunal found that the referee correctly identified the Player as being the player involved in the incidents with the St Mirren FC No 35. The video footage showed this. The Claimant, in their written submission, had accepted that there had been contact between the Player and the St Mirren FC No 35. The Referee cautioned both players. Accordingly the Tribunal found, on a balance of probabilities, that there had been no error on the part of the referee and no mistaken identity with regard to the players involved in the incidents and specifically in relation to the Player for whom the Claimant had appealed.

9. Therefore the Determination of the Tribunal was that the Claim be dismissed and that the caution and dismissal, and mandatory sanction, be re-imposed.
10. The Determination of the Tribunal is final and binding on all Parties and is not subject to Appeal.