

WRITTEN REASONS OF THE FAST TRACK TRIBUNAL



IN THE MATTER OF A WRONGFUL DISMISSAL CLAIM BROUGHT BY:

Name of Club - East Fife Girls and Women's FC

on behalf of

Name of Player - Teri Skivington

1. These are the written reasons for a Determination made by a Fast Track Tribunal which convened on 19 April 2019 to deliberate this Claim.
2. In the 61st minute of the SWFL 1 League Cup Quarter Final fixture between East Fife GWFC and Hibernian 23s on 17 April 2019 the Player was dismissed from the field of play by the Referee for Violent Conduct.
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 was not guilty of violent conduct in that she did not attempt to punch her opponent but put up her arm to protect herself from being hit with the ball which had been thrown at her. She stated that she did not make contact with her opponent.
6. The Referee provided a statement explaining the act which he decided was violent conduct - that following a confrontation between Ms Skivington the Hibernian player, Ms Skivington attempted to strike her opponent with a punch.
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 violent conduct.
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. The Tribunal were unanimous in their view that neither the written submissions nor the video evidence submitted provided sufficient evidence to justify a finding that there had been an obvious refereeing error.
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. The Tribunal further decided that the nature of the Claim did not fall to be dealt with in terms of Section 13.13.8 of the Judicial Panel Protocol 2018/19 and therefore no further sanction was imposed.
10. The Determination of the Fast Track Tribunal is final and binding on all Parties and is not subject to Appeal.