



PE1319/F

11 June 2010

Mr Frank McAveety, MSP
Convener
Public Petitions Committee
Scottish Parliament
EDINBURGH
EH99 1SP

Dear Mr McAveety

Petition PE1319

This letter deals with the Questions Arising from Committee Meetings dated 20 April 2010 and the letter from the Public Petitions Committee of the above reference dated 21 April 2010.

Will you carry out the investigation asked for in the petition?

The Scottish Premier League (SPL) is not requested to carry out any investigations by the above papers but we would participate fully and willingly in any such investigation which is undertaken.

What are your views on the petition and the issues discussed at the meeting on 20 April?

It is our view that concerns raised in the petition result in large part from a misunderstanding of the registration system as it is applied by the SPL and the quite separate development contribution regulations which, in part, describe the relationship between two SPL clubs.

What concerns do you have about the demands and impact (the legal, moral and general as the petition states) this is having on under 16 year olds signing on with professional football clubs?

As indicated above the concerns result from a misunderstanding of the systems in place. In fact there is no contract between players under the age of 16 and SPL clubs. There is a form of registration which describes an individual's eligibility to participate in various competitions for the relevant club. There is no form of consideration between the player and club as part of this registration. Similar systems of registration exist throughout the world. Indeed they are a specific requirement of football's World governing body, FIFA, for the protection of individual players and integrity of the game as a whole.

What actions need to be taken, when and by whom?

In general terms we do not believe that any action is necessary. Over 1,300 young players are registered currently with SPL clubs. In the main the system operates very effectively to provide access to the highest level of football for young people at an early stage. This is



closely monitored by the SPL and SFA to ensure that appropriate child protection policies are implemented along with the very best medical and sports science provision. Any failure in this regard is tackled vigorously.

It is certainly possible for there to be a breakdown in the relationship between a young player and a club, although these instances are actually quite rare. To cater for these rare cases the SPL regulations do not permit a club to have any onerous hold over a young player. If there is any allegation that such a hold is being attempted then the SPL Board has authority to intervene on behalf of that young player.

What evidence do you have as to the ages at which children and (are?) entering into registrations/contracts with professional clubs?

SPL regulations permit registration – but not a contractual relationship – from 10 years of age. A contractual relationship is only permitted under SPL regulations once the young person has reached the school leaving age.

What is your view on the legality of such registrations / contracts and the stipulations they make on the children concerned?

We are content that the registrations and contracts (the latter for older young people) are legally sound in all respects.

Are these registrations / contracts fully compliant with national policies (e.g. the Children (Scotland) Act 1995, Age of Legal Capacity (Scotland) Act 1991) and the international policies such as the European Convention on Human Rights and the UN Convention on the Rights of the Child?

As stated above, we are content that the registrations and contracts (the latter for older young people) are so compliant.

It might also be helpful for the Public Petitions Committee to have a brief outline of the registration and development contribution systems which apply in the SPL and the motivations behind these regulations. These rules are designed to ensure that those clubs who spend huge amounts of effort, time and money in developing and training a young player receive a contribution towards this investment when another (often financially stronger) club wants to take that young player from them. However, it is certainly not true that they are designed to restrict the opportunities of the child or young person in question.

Without such a system in place, there would be absolutely no motivation for professional football clubs to invest in the training and development of young players, as all the best young players at smaller clubs would simply be hoovered up by the wealthiest clubs. In the absence of a robust system of development contribution, I have no doubt that far fewer clubs would go to the expense and effort of developing and training young players at all – something that could only be extremely damaging to the emergence of future Scottish footballing talent.



In the absence of the current system, it is entirely debateable whether the likes of St Mirren, Motherwell, Hamilton, Kilmarnock, Falkirk and St Johnstone would have any incentive to develop their own players. It is instructive to note that these clubs have developed the likes of Kris Boyd, Steven Naismith, James McFadden, Callum Davidson and Darren Barr – all current or recent Scottish internationalists. Would these players ever have come through the ranks without the vital investment made by these clubs throughout their development?

It is also useful to clarify a number of points in relation to this area:

1. If clubs fail to agree the amount of development contribution payable in respect of a young player, this need not prevent that player's registration with a new club. If an SPL club refuses to give permission to another club to register an under-19 player, the SPL Board has the ability to register such player even in the absence of such permission;
2. Systems requiring clubs to pay development contribution (or similar) are commonplace throughout the footballing world, precisely because they are the most effective way of incentivising clubs to invest time and money in youth development – which ultimately benefits the national teams of those countries who have such systems;
3. Our system of development contribution has never been intended to punish acquisitive clubs, nor to reward those clubs who lose players – it is designed simply to compensate for investment made by clubs in the development of those players who move on to other clubs.

Finally, and by way of providing some context, UEFA President Michel Platini is committed to the principle of preventing the transfer of players under the age of 18. Some within UEFA want to go even further. It is being suggested in some quarters that teenage players should be forced to stay beyond the age of 18 and sign professional contracts with the club that has trained them. Making it easier and less expensive for large, wealthy clubs to poach the better young players would certainly reflect a huge departure in policy from the current direction of travel in this area.

It is our belief that our systems of registration and development contribution strike an appropriate balance between the needs of clubs, the needs of young players, and the overarching need for Scotland to ensure that its international football team is as strong as possible.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Neil Doncaster', is written over a light blue horizontal line.

Neil Doncaster, Chief Executive