

# Realgrassroots

PE1319/RR

Thursday 12<sup>th</sup> February 2014

Ms Anne Peat,  
Clerk to the Public Petition Committee,  
TG.01,  
The Scottish Parliament,  
Edinburgh.

Dear Ms Peat,

## **PUBLIC PETITION PE1319**

Mr Smith and I are pleased to see our petition being considered and examined once again by the Public Petitions Committee of the Scottish Parliament on 18<sup>th</sup> February 2014.

We acknowledge the submission made by the Scottish FA on 18<sup>th</sup> October 2013 and we now understand that this proposal was adopted by the member clubs of the Scottish Professional Football League (SPFL) at their meeting in January 2014. Whilst this alters the management of the compensation system (from SPFL to SFA) it does nothing to address our concerns that young players are restricted in their freedom of movement.

At the hearing of the Public Petitions meeting on 26<sup>th</sup> November 2013, it was encouraging to note the continuing concerns of the committee members and Convenor; we are heartened by their resolve to address the issues we raise.

We support the proposal made by the members to invite several witnesses to an oral evidence taking session. We therefore respectfully request that the Committee invite Mr Neil Doncaster, CEO of the SPFL and Mr Andrew McKinlay, Director of Governance at the Scottish FA. We would support the proposal to invite a Head of Youth of a professional club. In our previous submission we suggested someone out with the Old Firm as they have previously appeared and been given an opportunity to present their respective cases. Therefore we feel it would be appropriate to extend an invitation to the Head of Youth – Mr John Murray at Heart of Midlothian FC.

In an effort to provide members with a balanced view of the circumstances we would suggest that Mr Malcolm McGregor, Advocate, Compass Chambers and Liam Ewing, Advocate with a Master's degree in Human Rights law be invited to provide a legal opinion.

Both members of Realgrassroots are willing to participate in any future discussions.

On 8<sup>th</sup> January 2014 Realgrassroots submitted an official complaint to the Scottish FA's Compliance officer, Vincent Lunny asking that he investigate the evidence presented by Mr Sinclair, Rangers FC and Mr McCart, Celtic FC at the Public Petitions hearing on 11<sup>th</sup> January 2011. We are currently awaiting Mr Lunny's response. Realgrassroots took this step as a result of the failure of Mr Doncaster to respond to our correspondence dated 26<sup>th</sup> April 2013. It appears to us that there is no appetite for the SPFL to address the very serious breaches of Scottish FA rules committed by their member clubs, whereby clubs are paying in excess of the amounts set within the SFA's Articles of Association.

It remains our position that the registration form signed by a 15 year old is without doubt a contract, this is supported by legal opinion and that the binding of a player to a club for a further three years breaches Section 2 of the Age of Legal Capacity (Scotland) Act 1991. This restriction on a player's (minors) ability to move freely is a further infringement on his rights as set out in Article 3 of the UN Convention on the Rights of the Child. This was previously highlighted by Mr Tam Baillie, Scotland's Commissioner for Children and Young People.

We acknowledge the FIFA regulations in respect of the training compensation, however we would contend that such compensation should only become payable when a player achieves a professional contract at the age of 16 years or above.

It seems therefore to us that the current transfer market in youth players bearing in mind the adverse effect it can have on young players should be abolished.

Realgrassroots wish to be clear; we are seeking amendments to the Scottish FA Articles of Association which will:

- a) remove the current practice of a 15 year old signing a one year registration form and thereafter being restricted from moving clubs for the following three years;
- b) make it an offence for any club to prevent or prohibit any young player from participating in schools football;
- c) remove any compensation payments until a youth player reaches the age of 16 years and signs a professional contract (this would include the £10 payment due to Scottish Youth FA member clubs);

Since the last PPC session, we can advise that a youth player has approached Realgrassroots and made us aware that he is currently signed with a professional club having signed at the age of 15 years. He requested to exit this registration but has been refused as the professional club are demanding payment of the set fees. We can now reveal that legal aid has been afforded to this young player and preparations are now underway to have this situation brought before a court of law.

Realgrassroots supports the suggestion of the PPC to hold a round-table discussion on the future of youth football in Scotland and how the clubs are restricting the ability of young players to play football for their own selfish gain.

We therefore appeal to the Committee to continue to examine the concerns laid out in our Petition.

Kind regards,

**Scott Robertson**  
(On behalf of Realgrassroots)

**William Smith**

[www.realgrassroots.co.uk](http://www.realgrassroots.co.uk)