

## Standing up for youth football

PE1319/WW

Monday 21<sup>st</sup> September 2014

Dear Convener,

### **Public Petition 1319 – Improving Youth Football**

We would like to thank the Committee for their involvement and engagement in the oral session on 20<sup>th</sup> May 2014.

We would offer the following observations in respect of the session. We acknowledge the statement made by the Scottish FA's Director of Governance Andrew McKinlay in respect of 15 year olds signing a one year registration, but who can then be held for a further two years. He said *'I assure the committee that his opinion (Advocate Malcolm McGregor) does not say that the approach is unlawful. People of that age can enter into contracts—their parents can enter into them on their behalf'*.

We would like to point out that whilst the above is accurate Advocate McGregor summaries by saying *'...the current regime is flawed. Without referring to any contract, it imposes a contractual regime on youth players and clubs in which the former are placed at a clear and distinct disadvantage in which they have no bargaining power and effectively no remedial rights where the length of a youth player's tenure at a club is concerned.'*

This position is confirmed in legislation and we refer the Committee to Section 2(1) of the Age of Legal Capacity which states:

A person under the age of 16 years shall have legal capacity to enter into a transaction

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(a) of a kind commonly entered into by persons of his age and circumstances, and

(b) on terms which are not **unreasonable**.

It has always been the contention of Realgrassroots that the terms are indeed 'unreasonable'.

Hearts Youth Academy Director offered some interesting opinions and the Chief Executive of the Scottish Youth FA, Mr David Little, has informed us that several of his comments were factually incorrect. We will be asking Mr Little to articulate his views in a submission to the Committee.

*'I find myself at a loss to understand what this campaign is aiming to achieve'* were the words from Mr Neil Doncaster. Since submitting the petition in January 2010 and with a number of sessions held at Holyrood to discuss our campaign not to mention numerous media articles and pieces, can we assure the Committee Realgrassroots are at a loss – for words at his statement? This only gives credence to our belief there is a complete apathy within the Scottish Premier Football League and senior clubs to acknowledge their conduct, behaviour and treatment of Scotland's young players is in anyway unfair.

We welcome the review being conducted by Mr Tam Baillie, Scotland's Commissioner for Children and Young People. We hope that his expertise and role as a defender of children's and young people's rights will give the Committee some tangible evidence in which to draw their own conclusions.

Kind regards,

**William Smith**  
(On behalf of the Realgrassroots team)

**Scott Robertson**