

PE1319/000

Scottish Government letter to petitioners of 24 August 2016

Dear Mr Smith and Mr Robertson,

Thank you for your letter of 27 June 2016 about Petition PE1319 on improving youth football in Scotland, which I received via the Convener of the Public Petitions Committee. I have asked the Convener to pass this reply to you.

First of all, I would like to thank you for your commitment to this important issue. Your dedication and perseverance has highlighted some legitimate concerns about youth football and Club Academy in Scotland.

That, in turn, has prompted the Public Petitions Committee and the Children and Young People's Commissioner in Scotland to investigate youth football. I agree that your role in raising the profile of this issue has been significant, and has played a part in the welcome changes the Scottish FA and SPFL are now making and I'm sure will enhance the protection to children and young people.

As you may be aware a number of significant rule changes have been approved by the Scottish FA Board and are now in place. There will be on-going assessment of their effectiveness by the Scottish FA and SPFL, with a comprehensive review at the end of season 2016-17. I believe a full season is a reasonable timeframe for us to be able to assess how effective these measures have been.

The Scottish Government will continue to monitor these new measures, and has offered to discuss with the Public Petitions Committee and other stakeholders – including the Children and Young People's Commissioner in Scotland – how we can provide appropriate oversight to ensure the human rights of children and young people are reflected.

I know you still have concerns, but I believe the football authorities have made a number of improvements in the approach taken to children in youth football.

I will now turn to some of the specific points you raise in your letter.

You say the views of children were obtained by the clubs "without any form of independent scrutiny", and that the survey itself was "limited". The online survey was created and distributed by Donna Martin, the Child Protection and Safeguarding Manager for the Scottish FA. The views were therefore not obtained by the clubs. The young players were granted complete anonymity to give them the opportunity to be as open and honest as possible. The survey was directly relevant to young players in professional clubs, where 198 players completed and responded online. While further steps like speaking to players in groups or one-to-one would offer further depth to the online results, these developments are being planned with the creation of the Scottish FA Youth Congress, to ensure young people can make a meaningful contribution to the business of football.

You said our suggestion that there will be no restrictions placed on children to play for their school teams is inaccurate. We have discussed this with the Scottish FA and been given categorical assurances that there are no caveats attached.

You said three year rolling contracts will remain – with the child locked into a "one-sided contract" after a year with no exit clause. Again, we have been assured this is not the case. If

a child legitimately wants to go back to recreational football, there will be a mechanism in place to allow them to do that. In addition, new provisions have been introduced in relation to where a player has not been given sufficient game time by a club in the previous season.

You call for other organisations – including PFA Scotland – to have the opportunity to give evidence. How the Public Petitions Committee proceeds with this issue is, of course, a matter for them to consider – but, like you, we believe PFA Scotland can make an important contribution to the debate on this.

Your letter also highlighted our engagement with PFA Scotland – Officials have had discussions about this issue with a number of organisations, including PFA Scotland. Officials have a strong and positive relationship with PFA Scotland chief executive Fraser Wishart – and president Tony Higgins – and engage with them regularly in person, phone and by email. Officials have discussed many issues with them on many occasions. I am not entirely sure what would constitute “formal discussions” but PFA Scotland was still able to put forward its position on youth football during this engagement.

In conclusion, while the Scottish Government places great importance on ensuring young people are treated fairly with due regard to their human rights, this issue is the responsibility of the football authorities in the first instance. Therefore, our discussions were aimed at allowing us to understand the views and concerns of stakeholders so we could reach a view on whether regulation is required at this time. The views of a range of organisations – including PFA Scotland – helped shaped that initial view.

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