

PE1319/UUU

Petitioners submission of 12 June 2017

Once again we take this opportunity to thank you and your committee members for your continuing support and determination to ensure the Scottish FA (SFA) and Scottish Professional Football League (SPFL) address all of the many serious issues affecting children that remain unresolved in our petition.

We note the joint submission of the SFA and SPFL and the view tendered by the PFA.

FIFA Intervention

The SFA and SPFL appear to be becoming desperate and eager to disengage with the Scottish Parliament by threatening that the FIFA will sanction the nation's football teams. The notion that the Scottish Parliament and this Committee should now simply 'butt out' is not acceptable and is resoundingly quashed by the PFA.

Minimum Wage

Clearly the theme in the joint reply is that it is too much work. However, the English FA appear to manage to cope with a greater number of clubs in their Association. As Realgrassroots have stated in previous correspondence the contracts we have had sight of have a dedicated box at Section 3 entitled 'Weekly Basic Wage Pay'. Any contracts current or future that contain the sum of £1 or £10 should be rejected.

Further, would it not be an idea for these governing bodies to move away from their 'light-touch' approach of trying to ensure that players are paid the NMW and start to punish for non-compliance. Clearly the cajoling approach has failed over the years and their failure to punish the unlawful conduct is typical of vested self-interest within the structures of Scottish football and an example of weak governance.

At the Public Petition session in December 2016, the SPFL Chief Executive repeatedly pleaded 'let us have that investigation' in respect of the stories that appeared in the Daily Record. Have the Committee received any update? Is this investigation complete & what was the outcome?

Project Brave

Whilst a review of Club Academy Scotland, or as it was formerly known Youth Initiative Football or Pro-Youth is welcome. Reducing numbers in the system is something boy's clubs coaches across Scotland have muted for years. The continual tinkering and rebranding has yet to prove successful and I think you may forgive us for not feeling overly optimistic for the future.

Training Compensation Payments

The Scottish FA and SPFL have admitted that they do not monitor or hold information on these payments. This is extraordinary! To recap, this has been a long-standing issue. The system was abused and likened to a 'transfer-market in children'. The SFA took 18 months to introduce a matrix system and then rules were introduced to ensure that payments did not

exceed the stipulated figures. We are now told they do not monitor or have information about

these payments and cite that these are 'private between the clubs'. How do they possibly ensure compliance with their own regulations? This latest admission is staggering and again smacks of weak governance.

We would remind the Committee of the contradictory evidence given by the SFA and SPFL in December. Mr McKinlay, SFA said that there were very few payments whilst Mr Doncaster said the youth system would collapse if we didn't have these payments.

On 16th March 2010 the European Court ruled on a case involving a French youth player. The ruling said 'reimbursement must be strictly linked to the cost of training' and 'a reimbursement scheme whereby the training costs are exceeded is not permissible'. FifPro commented 'the demand of international organisations such as IOC, FIFA and UEFA to make sport an exceptional case in order to better regulate it must be regarded as an empty slogan. It is nothing other than a misplaced attempt to regain the old positions of power such as they were in the pre-Bosman era, whereby the voices of the employees were not heard'.

FifPro added that one general conclusion can be drawn 'unilateral extension options are in general incompatible with FIFA regulations and principles of global labour law'.

3 Year Registration

What this matter fails to recognise is that at age 16, young people are adults in the eyes of the law and they have the absolute right to make decisions about their future. Hopefully supported by their parents and advice from their current clubs they will make the best decision but they are fundamentally entitled to the freedom of making that decision and making that choice. Any organisation that seeks to deny that freedom of choice is in conflict with European Law.

Youth Player Agents

Realgrassroots maintain this is an important issue that seems to be failing. Mr Regan spoke recently in relation to a high profile person failing the 'fit and proper person test', why can this not be applied to those persons wishing to act as Intermediaries? The SFA also said that they could not request agents to provide PVG certificates because the SFA did not employ these people. The Scottish Youth FA do not employ the 16,000 volunteer coaches in boys clubs yet it is a condition of membership that the coach must complete a PVG application.

Child Protection Panel

The introduction of this panel was a positive move; however we would ask you to consider the evidence contained in the letter from Mr Barry Duncan and this will perhaps give some explanation as to why only one case has ever been brought before the panel.

Coach Education Costs

We look forward to the detail of this income stream and where the money is sent. Mr Regan promised this information at the Health & Sport Committee and we are in communication with MSP Neil Findlay to ensure we obtain some transparency in this area.