

To: Director of Operations,
WPUK

From: Senior Executive Officer,
WPUK

Date: 29/6/05

Work permit review panel (Scotland) for Dundee United football club to employ Jason Scotland held in Glasgow.

Issue

The purpose of this note is to seek your approval to refuse a work permit extension for Jason Scotland following the recommendation made by the independent review panel which sat on the above date.

The panel comprised:

Information withheld under s40(3)

Background

The original application was refused because the player had played in 2 of 23 competitive category A international games in the two years preceding the application. Trinidad and Tobago are ranked 60 in the official FIFA world rankings when averaged out over the past two years preceding the application, so that part of the criteria is met. In line with the published criteria, Dundee United sought a review of the application and an independent review panel met to hear and view the additional evidence the club had brought to the hearing. The player had originally been granted permission to play for Dundee United from June 2003, after a positive recommendation from a review panel. The current application is an extension to that permission.

Representing the club were:

Gordon Chisholm – Team manager
Spence Anderson – Club Secretary
Mike Berry – Player's agent

The panel examined a pack presented by the club, which included details of the player's international appearances and his playing records and conduct with Dundee United. They also viewed DVD evidence of the player scoring against South Korea in a recent friendly match and moments from a couple of games for Dundee United last season.

Club's presentation

Spence Anderson began the club's presentation by stating that, in the club's opinion, the player had established himself with Dundee United over the two years he had been at the club. He was being offered a two year extension to his current contract.

Gordon Chisholm stated that the player had played in the majority of games during the past two seasons, as a starter or as substitute. ***Information withheld under s40(3)***. He stated that the player had come off the bench to score a vital winner in the Scottish league cup semi final against Hibernian which guaranteed the Club a place in European competition next season. This represented a significant financial gain for the club.

Mr Chisholm went on to state that the player was a “model professional”, a favourite with the fans and a person who was fully involved in activities with the local community. He went on to state that, despite interest from some premier league clubs, Dundee United were keen to retain the player’s services. **Information withheld under s40(3)**

Mike Berry gave details of the player’s international record with Trinidad & Tobago. Mr Berry stated that it was the policy of Trinidad & Tobago not to pick overseas based players for certain qualifying games depending on the quality of the opposition. **Information withheld under s40(3)**. Mr Berry stated that a new manager had recently been appointed to Trinidad & Tobago and had included the player in the current squad.

Mr Chisholm added that the player’s lack of international games had meant that he was available to play for Dundee United, so the situation had been to their advantage.

PM asked the club exactly how many games the player had represented Dundee United in the past two seasons. Spence Anderson stated the player had made 26 starts and had been a named substitute for another 34 games. Mr Chisholm stated that the player actually played some role in the majority of those appearances as sub.

PM asked for details of the player’s contract offer. **Information withheld under s40(3)**

PM asked the club if the player would be a regular “starter” in the first team. Gordon Chisholm stated that the player would be in his first team squad of 16-18 players. Mr Chisholm went on to state that the club had 4 or 5 strikers to choose from, each with their own attributes. This player was one of that pool.

Panel’s recommendation

Information withheld under s40(3)

The panel voted 5 to 1 to refuse the work permit for Dundee United FC to continue to employ Jason Scotland.

Action

If you are content with this panel’s recommendation please sign this document. This club has been informed of the result.

Senior Executive Officer
WPUK

NB:
PM = member of the review panel

FOOTBALL WORK PERMITS REVIEW PANEL (SCOTLAND)

TERMS OF REFERENCE AND OPERATING PROCEDURES

Terms of Reference

The purpose of the football work permits' review panel is to consider appeals referred to it by the Home Office's Work Permits (UK) unit and make a recommendation to the Head of Work Permits (UK) whether or not a work permit should be issued.

In making their recommendation, the panel will need to be able to form a judgement from the evidence presented by club officials that, although the player does not meet the published criteria, he is in their judgement, of the highest calibre and able to make a significant contribution to the British game.

Membership

The panel will normally comprise one representative from the Scottish Premier League or the Scottish Football League (depending on which league the appellant club is a member), one representative from the Scottish Football Association, one representative from the Scottish Professional Footballers Association up to three independent experts chosen for their knowledge of both domestic and international football.

Secretariat

Work Permits (UK) will provide the Secretariat to the panels, arranging meetings and circulating papers as necessary. The panel will be chaired by a senior official from Work Permits (UK).

Operating procedures

The panel will conduct its proceedings in private. Its recommendations, following Head of Work Permits (UK) ratification, will be made public by the Department.

The panel will evaluate evidence in any form which the appellant club wishes to submit e.g. written submissions, oral evidence or video evidence. The club will be asked to indicate when it lodges notice of appeal the range and type of evidence it intends to present.

Where oral evidence is taken the panel may also wish to question the individual presenting the evidence. In reaching a decision and making a recommendation the panel will aim for a consensus.

Appeals against the panel's decision

This season clubs will only have one opportunity to seek a review of their application as set out in the published criteria. However, if a club can provide further and compelling evidence, then it will be forwarded to the Head of Work Permits (UK) who will decide whether or not a further review will take place.

Frequency of panel meetings

Panels will be arranged when a club requests a review of their application.

Confidentiality

The panel's deliberations are confidential and should not be divulged to a third party.