

Written submission from the Catholic Church

Offensive Behaviour at Football and Threatening Communication (Scotland) Bill

The Catholic Church condemns behaviour and beliefs which foster hatred of any individual or group. All persons are entitled to respect and to live without fear and intimidation.

To this end it is important to recognise the importance of maintaining public order as a central task of government. Public authorities therefore have the competence and duty in responding to particular manifestations of disorder and behaviour which threaten the wellbeing of citizens and society as a whole.

Enacting laws and designing policies aimed at resolving such problems must be pursued with prudence and wisdom to ensure that measures are suitable and proportionate for the problem they seek to address. The freedom of citizens in their movements, beliefs and expression is foundational to a decent society and these ordinary rights must be protected as far as is practicable.¹

The exercise of government powers can contribute to this work by giving leadership in fostering the values necessary for a safe and ordered society. These powers need to be used wisely and to this end democratic governance is marked by a separation of legislative, judicial and executive powers. Such a separation ensures an adequate balance within the democratic process which avoids arbitrary and poorly formulated decisions.²

Citizens carry responsibility for exercising their freedom responsibly and for contributing to harmonious relations. Church communities play a particular role in contributing to good community relationships and their efforts, along with other parts of civic society, to encourage responsible behaviour throughout our communities are vital to creating the proper environment for a genuinely tolerant society. In Scotland, the different Christian denominations and faith communities have led by example in fostering good relationships and building close and collaborative partnerships. Democracy should also encourage the participation of citizens in political choices by ensuring adequate opportunity in decision making processes.³

In light of these observations we welcome the determination of the Scottish Government to outlaw offensive behaviour and we recognise that there may very well be a case for introducing new measures to tackle the problems of threatening communication and those associated with football matches, where it can be shown that current legal provisions are inadequate. Swift action aimed at overcoming offending behaviour and preventing deterioration of the situation can be indicated, but suitable caution must be observed in order to ensure that laws are not introduced with undue haste and that they have been ascertained to be at an appropriate and necessary level.

¹ C.f. *Centesimus Annus*, Pope John Paul II, Paragraph 25

² Ibid Para 44

³ Ibid Para 46

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