Justice Committee

Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill

Written submission from Anonymous 14

1. Do you agree with the proposal in the Bill to repeal the 2012 Act? What are your reasons for coming to this view?

Yes as the way it tackles football fans in and outside of the ground is totally unnecessary and uncalled for, it brings police brutality into people's homes for something as little as singing a song, it looks to ruin people's livelihoods for something that's occurred at a football match. Something that in my opinion is unacceptable.

2. Did you support the original legislation?

No.

3. Do you consider that other existing provisions of criminal law are sufficient to prosecute offensive behaviour related to football which leads to public disorder? If so, could you specify the criminal law provisions? Or does repeal of section 1 risk creating a gap in the criminal law?

Yes as legislation like the common law Breach of the Peace, Section 74 of the Criminal Justice (Scotland) Act 2003, Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010 can in my opinion deal sufficiently with issues at our football grounds.

4. Do you have a view on the focus of section 1 of the 2012 Act, which criminalises behaviour surrounding watching, attending or travelling to or from football matches, which may not be criminalised in other settings?

No as I think football fans are just normal people going to watch their team at the weekend like any other fan such as rugby or tennis fans do, they shouldn't be targeted specially by police they should be treated as civilians.

5. Do you consider that other existing provisions of criminal law are sufficient to prosecute threats made with the intent of causing a person or persons fear or alarm or inciting religious hatred? If so, could you specify the criminal law provisions? Or does repeal of section 6 risk creating a gap in the criminal law?

Since section 6 has been brought into our legal systems it has barely been used and police and prosecutors more tend to use the communications act of 2003 rather than section 6.

6. Do you have a view on the proposed transitional arrangements in the Bill: that there should be no further convictions for section 1 and 6 offences from the date on which the repeal of those offences takes effect; and that the police
will cease issuing fixed penalty notices at least from the point at which the Bill is passed?

I think the act should be stopped with immediate effect. You are being asked at what point the Act should cease to be used against football fans. I think all cases that people have been charged for during the act should be reviewed and potentially dropped. I feel this should happen as it should never have been targeted solely on football plans in the first place.

7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?

I think that it had made sectarian worse, as we all saw in the news the other day Celtic football club has come out and said they think sectarian singing and acts of sectarianism has got worse since the bill, in my opinion people want to fight the bill by doing exactly what it says not too, the bill will never stop football fans doing what they've always done.

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