Justice Committee

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

Written submission from Anonymous 26

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 I agree. The act has caused nothing but trouble for me and my friends. Every time the door goes both at home and at work first thought that comes into my head is that it could be the police.

2. Did you support the original legislation?

No. Not at all. I knew it would just give police an excuse to go in heavy handed on football fans.

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. Common law Breach of the Peace, is sufficient enough to charge someone at a football match if they genuinely are breaching the peace. Just because a person is singing a song at the football doesn’t make them a criminal.

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?

I think all football fans are treated like the scum of the earth. For example, you’d never see as much policing at a rugby match. I travel from outside Glasgow and the police stop our bus on the motorway and charge on heavy handed asking all sorts of intimidating questions. All because we are football fans.

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?

Section 6 has hardly been used in the whole period since it was enacted and police prosecutors regularly use other legislation, for example, the communications act 2003.

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?

The act should be scrapped with immediate effect and all charges dropped for everyone ever convicted under this absurd act.

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

I don’t believe the act has done any good. In fact I feel it has had the opposite effect on the terraces. It has made people like myself hate the police instead of people respecting the police.

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