Justice Committee

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

Written submission from Anonymous 27

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 I believe it should be repealed, as it is treating Football supporters of all types as second class citizens that have to abide by rules that others do not. I cannot imagine rugby or cricket fans being subjected to specific laws based on which sport they choose to attend. There are already laws in place for what the SNP believe this stands for (Sectarianism). Personally the only thing this act has done is antagonise football supporters via the constant filming at matches and causing further trust issues between supporters of football clubs and Police Scotland who did not have a good reputation within football circles to begin with. I myself have felt targeted due to this and fear for my livelihood and personal security, I also have family members in a similar situation that going to the football portrays you as a criminal within Scottish law at present.

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. For example common breach of the peace laws would cover the majority of incidents at football matches, you also have the already in place sectarianism laws that have been set up to combat these issues at football.

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. Would you accept laws just for people who watch tennis? Or Formula 1? No so why should this activity be any different.

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?**
Yes. Since its inception Section 6 of the Act has been rarely used, more often than not prosecutors will use alternative acts, the threatening communications act being used regularly in reference to this.

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 believe that this act should be scrapped with immediate effect, i also feel that any ongoing or unresolved cases should be dropped as well as any previous charges as this act should never have existed to start with meaning that the charges would also have ceased to exist.

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

In my opinion it has done nothing to combat it, sectarianism is a wider issue than something that just happens at football, hence why the original sectarianism laws covered it where ever it happened not at specific sporting venues.

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