Justice Committee

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

Written submission from Anonymous 32

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, due to it being an ill thought out act which gives the police the power to arrest at their will for any reason.

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?

Legislation which was in place prior to this act was sufficient as it was an act which was sparked more so of the behaviour of players and managers, rather than fans. Breach of the Peace and other laws provisions are sufficient. Repealing this act in no way dangers the safety of football fans; it in fact increases their safety from police oppression which has been so commonly seen.

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?

There is no reason to single out football fans as a section of society, which is what is happening under this act. It happens with no other sport in this country. If there were rugby fans singing on the street, songs which some may find offensive, the police could not use this act. However, a football fan found to be doing the same thing can be arrested under this act. This is the criminalisation and oppression of football fans, powered by a football thug image which is not true of most football fans.

5. 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?

This should be repealed immediately, with all current cases being dropped and all past convictions quashed due to the shambolic nature of the act which has ruined and negatively affected so many fans and their families.
7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?

This act does absolutely nothing to tackle sectarianism. All this act has been known to do is give police the power to arrest for absolutely anything they want. From raising your voice too loud to an angry hand gesture at the referee (both of which I have personally seen.) The police and government have used this act to ruin the lives of football fans as so to appear to the wider public that they are tackling as issue of football violence and behaviour, which in reality is not a problem which needs a drastic solution. Events from year gone by in societies which are unrecognisable in today's Scotland. The Act has been used to bully, oppress and destroy the lives of football fans and nothing more.

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