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. The bill itself has been ill thought out from its inception. The main supposed reasons for the bill namely to prevent homophobia, racism, sexism and sectarianism where already covered within existing legislation. The bill itself was brought about due to the actions of two football managers not the actions of football fans but it has had a disastrous effect on our match day experience. The bill has increased resentment towards the police who are now seen as a threat to fans within football grounds across the country this resentment has bred a paranoia that has turned people away from games for nothing more than not wanting to be subject to arrest on the whim of a single police officer. The act itself has actually emboldened some aspects of negative supports as they seek to push back against the draconian law.

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. Breach of the peace is utilised in any other public sphere outside of football and is deemed to work therefore this working legislation should be used also within the perimeters of a football. Therefore there is no need for a separate law for football fans. People throughout society should be held to a universal standard.

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?

As stated in the last answer, no I do not believe that football fans should be held to a separate standard by law than society at large. The width of scope in this Act means that a person can be liable for anything deemed ‘offensive’. Offence being subjective means arguably anything could be offensive and no universal standard exists. This law would be unworkable for society in general therefore should be unworkable for 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 is an area of the Act that has been hardly utilised. In fact the Police and Prosecutors continue to use existing legislation such as the Communications Act, 2003 when charging individuals for such behaviours. This is a clear example of the redundancy of the Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill.

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 all outstanding cases should be dropped and all convictions quashed with immediate effect on repeal. This would help foster a better working relationship between football fans and the authorities that the bill has soured.

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

I think the Act has no positive impact on reduction of sectarianism. Existing laws better deal with sectarianism in football than this Act. As a society to much focus is put on the manifestation of sectarianism in football and not enough focus on sectarianism in wider society.

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