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

Written submission from Anonymous 5

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 that the act victimises football fans.

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?

I would agree that there are other existing provisions of criminal law to tackle behaviour at football, including Breach of the peace. I don’t believe that repealing section 1 would create a gap in criminal law.

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 don’t believe that there should be a law that specifically targets football fans. If this were applied to any other group it would be deemed ridiculous. For example, a law which only applies to McDonald's customers and can only be applied within a McDonald's restaurant. Ridiculous.

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?

I believe the communications act 2003 would sufficiently cover 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 support an immediate repeal and that people with convictions should have them quashed.
7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?

Due to the ambiguous nature of the law, it does not clearly outline what is deemed to be sectarian.

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