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.

Throughout the act’s entirety every football fan in the country has faced unfair blatant targeting and discrimination from Police Scotland on a weekly basis.

The police use the act to target normal football fans who are more often than not committing any offence, for these reasons I support the bill to repeal the act.

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, there are many pieces of legislation already in place which could have been effectively implemented since 2012 to prosecute football supporters IF they were committing any offences. The act has been used as a direct targeting tool under the guise of tackling sectarianism.

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, there should not be laws which only apply to football matches, this again would be discriminatory and I feel would also hinder the public’s relationship with the police further. The laws which were in place before the 2012 act can be effectively used to tackle any instance of public disorder, there is no need for another football specific piece of legislation.

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’s use has been minimal during the entirety of the period it was enacted and that police and prosecutors regularly use other legislation eg 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?

I would like the ceasing of the act to be immediate.

It would also be appropriate that cases that are not concluded should be dropped/discontinued and also that anyone who has incorrectly suffered due to the act and direct discriminatory targeting of Police Scotland should have their previous convictions eradicated from records.

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

I feel the 2012 act has been dramatically unsuccessful in tackling Sectarianism. A better path would have been to review the existing legislation and focus on how to utilise that more, rather than bring in the act (from 2012) as a catalyst to arrest football supporters on sight when they are supporting their team and in many (proven) cases are not committing any offence at all.

18 August 2017