Justice Committee
Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill
Written submission from Angus Macleod

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 act discriminates against one section of society - football supporters. It also basis a criminal charge on the notion of “causing offence” - this is so ludicrous I am embarrassed for us as a country.

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 of course we have sufficient existing provisions the whole suite of laws that exist to punish crime in the Non-football part of the population- common law Breach of the Peace, Section 74 of the Criminal Justice (Scotland) Act 2003, Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010.

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?

The “focus” of the law ie football fans is a dishonour to our legal system and should NEVER have been passed in the first place. Laws should apply to all.

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?

There is no gap - the law was a publicity stunt.

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?

Yes the convictions should stop with immediate effect.
Cases that are not concluded should be dropped and previous convictions should be quashed.

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

Not one single iota…but it has done a fantastic job of further alienating a generation of young football fans from Police Scotland. If that was the intention of the act well done.

Angus Macleod
31 July 2017