Justice Committee

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

Written submission from LS Charlesworth

1. Do you agree with the proposal in the Bill to repeal the 2012 Act? What are your reasons for coming to this view?

NO, I’ve lived near Hampden and had to see / hear the abusive behaviour exhibited by some “supporters”

2. Did you support the original legislation?

YES

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?

No, if prior laws were sufficient why weren’t they used?

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 feel that some when travelling to matches feel that they have the opportunity to exhibit behaviour that they wouldn’t in normal every day circumstances – a mob mentality.

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?

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?

7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?
I feel it has made a positive impact, it may need some tinkering, but to remove it without a replacement would send a signal that we do not take sectarianism seriously.

Simone Charlesworth
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