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 totally agree. The PFs office and Police Scotland are taking football fans to court when little or no crime has been committed. At worst it mainly concerns swearing and the length of time to go through court is well above the average.

2. **Did you support the original legislation?**

   No – why should football fans be different than any other paying sporting customer?

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 hate crime / ABH and breach of the peace laws currently in place as has of most of the EU. Even at that would swearing be enough for breach of the peace as its used as everyday language and banter.

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?**

   This law is wrong to target football fans. Fans travel to Scotland to see their teams and this can cover a weekend. To think for that period they are covered by a special law is unrealistic and in fact most are unaware.

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 does not seemed to be used, cases are prosecuted using different legislation. When charged under the Offensive Behaviour Law other charges are used as a bargaining tool as they do not have any football banning order powers to make innocent victims plead guilty knowing it will result in a fine.
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?

This law should never have been in place. It singles out football fans and should be scrapped immediately.

I myself have been charged under this law, never been in trouble in my life, a clean criminal record. I travelled back and forth to Scotland to court in what prosecutors in Ireland describe as a total farce.

In my case, there was no CCTV and the Procurator Fiscal and the police changed the charges. Basically football fans use up their annual leave going back and forth to court and never get a chance to present their evidence or witnesses to court.

Going up in the north of Ireland we had issues trusting a Police Force, in 2017 the relationship between football fans and Police Scotland is at an all time low, worse than anything we seen in Ireland. Supporters who have spend decades helping charities etc all hate the Police.

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

It is hard to measure this as first of all you have to define what this means based on equality and diversity.

Martin Gilmore
31 July 2017