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

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

I do not agree with this. The sectarian singing at football is the reason I stopped going and I didn’t allow my son to go. It has gotten better even if the abuse hasn’t stopped completely.

2. Did you support the original legislation?

I didn’t support it but only because I was not aware of it.

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I don’t think anything is specific enough to take the place of this Act so it not be repealed.

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 atmosphere at football matches is different from other settings. It is much more intimidating so the law needs to be in place to protect those who do not want to hear abuse and sectarian singing.

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?

As above, I think that this act is needed for exactly these situations which arise at football. A minority of football fans can ruin things for others.

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?

No – the act should not be repealed so this shouldn’t be needed.
7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?

I think it has helped reduce it and that has to be a good thing.

Janey MacDonald
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