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

This act actively suppresses songs that celebrate the backgrounds of our football club (I'm a Celtic fan) and this results in fans being treated like criminals. Now I believe that certain songs like the Ibrox disaster song and Hullo Hullo are disgusting and should not belong in a football ground, but this surely must be viewed as violation of human rights if we are to be criminalised for singing songs at a football match, but it is completely legal to do so out in the streets.

Did you support the original legislation?

NO

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 I believe that existing provision are more than sufficient to prosecute offensive behaviour relating to public disorders like pieces of legislation such as Breach of the Peace, Section 74 of the Criminal Justice (Scotland) Act 2003, Section 38 of the Criminal Justice and Licensing (Scotland) Act 2010; which has sufficiently dealt with behaviour at football matches for years.

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 believe that the behaviour that this act criminalises should not be criminalised in other surroundings as there is no proven link between singing songs and violence or hatred between fans has increased or decreased with this act, there are also very low prosecution rates meaning that the justice system does not find these songs majority of the team worthy of being criminalised.

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 has hardly been used since its creation as prosecutors have regularly used the Communications Act, 2003 instead.

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?

With immediate effect, I say I would agree that cases that are not concluded should be dropped and that previous convictions should be quashed (although that is not in the draft Bill but could be inserted by amendment). This would be based on the fact that the law that only applies to football fans should never have been enacted in the first place or any version of that argument.

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

I feel that this act has tackled sectarianism in the slightest, the only effect that this act has had is a number of passionate fans wrongfully banned from attending football matches and it has also seen an increase of fans at matches singing songs to go against the system and rise against them.

Peter Morris
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