Justice Committee

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

Written submission from Martin Hunter

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Yes I agree that the Bill should be repealed. Not needed to tackle hate crimes and has criminalised football fans.

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. Hate Crime legislation already exists, as does the Public Order Act 1986.

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?

Utterly ludicrous that certain chants/songs etc are only illegal if you are watching football!

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?

Agree.

7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?
It has not assisted in any way and has only created further division between football fans and Authorities. It has actually hindered progress on tackling sectarianism by muddying the waters and allowing police officers to decide what is offensive or not.

Martin Hunter
10 August 2017