Justice Committee

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

Written submission from Robin Taylor

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

The legislation is flawed and unnecessary.

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, existing laws cover offensive behaviour related to football, there would be no gap in criminal law.

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?

It is specifically designed to target football fans, we are supporters not criminals by default. Disgraceful legislation.

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?

Yes, existing laws cover offensive behaviour related to football, there would be no gap in 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?

It’s not before time, many of these offences under which people have been dragged from their beds and arrested for have rightly been thrown out of court.

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

Simple answer is not all, the law was rushed through without due consideration. In fact the law is not enforced when sectarian songs are sung as we see every week in grounds and on television. Whilst I accept that you cannot arrest thousands of people you can and should be arresting a few every week until the proscribed songs are no longer part of the repertoire. Clubs need to do more on this rather than hiding behind, “we have done all we can” nonsense.

Robin Taylor
10 August 2017