Justice Committee

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

Written submission from William Grier

1. Do you agree with the proposal in the Bill to repeal the 2012 Act? What are your reasons for coming to this view?
   No, I do not agree with the proposal.

   I have been a follower of Scottish football for 62 years and have witnessed and been subjected with my family to many different incidents of offensive (mainly sectarian) behaviour from the “fans” of the Old Firm as well as a few incidents of offensive behaviour from fans of other clubs.

   We need this legislation.

2. Did you support the original legislation?
   Yes

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?

   The criminal law as far as I can see has no effect on the behaviour of those attending football matches. Witness the national disgrace each time Celtic and Rangers meet.

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?

   Yes these offences are peculiar to the situation. As such separate legislation is required to clarify any ambiguities.

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?

   Clearly not, or we wouldn’t need this legislation.
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?

There should not be any transition because the Act should stand as it is.

7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?
It has assisted to some extent and along with other measures. Hopefully things will continue to change.

William Grier
10 August 2017