Justice Committee

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

Written submission from Michael Connick

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 agree with the proposal to repeal this act. I still find it hard to believe that politicians decided to introduce an act targeting one section of society – football fans.

2. Did you support the original legislation?

I did not support the original legislation. Listen to the news coverage to this day, they still say the legislation was introduced in the aftermath of a Glasgow derby where there had been unacceptable scenes; these scenes involved three Rangers players being sent off and the managers of the two teams being angry with each other. Since then there has been a very large tax case, liquidation of a club, underhand, undercover behaviour of the governing bodies of Scottish football, etc all without comment from Scottish politicians.

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?

Correct use of the existing laws is sufficient and probably better than this Act.

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?

Once again this suggests that football supporters are somehow subhuman with requirement for extra supervision.

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?

Once again the existing provisions can be used if there is a will to use them. As I sit at home today telling my children they may not be able to go to swimming lessons tomorrow because there are a number of orange parades around Paisley I suspect that there is no will to use these provisions.
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?

Yes, absolutely. This is bad law. It would be ridiculous to continue prosecuting people after acceptance that the law is bad.

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

If you compare the songs sung by the supporters within Ibrox before this Act and now you will find that they are far worse now. There are various reasons for this but this surely shows that the Act has failed in its apparent purpose.

Michael Connick
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