Justice Committee

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

Written submission from Gerry Moore

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Yes, I am 100% in agreement that this ridiculous, rushed and ill thought through piece of legislation should be repealed. As a football fan, I have found myself put under more surveillance in recent years and feel like I am being treated like a criminal.

2. Did you support the original legislation?

No. A knee-jerk reaction from the previous administration that the current government needs to realise doesn’t work.

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 legislation, such as Breach of the Peace, are more than sufficient to deal with any problems that occur in football grounds.

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, football fans are treated like second class citizens whereby adults are not able to enjoy travelling or attending matches without be viewed with suspicion.

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?

The fact it is solely linked to football fans is the problem. Of course there is existing legislation to deal with racial hatred etc, but linking it to a specific sport is simply wrong.

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?

Forget transitional arrangements and scrap the act altogether.

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

Given events that we have seen in recent years, it shows that this legislation has done absolutely nothing to tackle sectarianism.

Gerry Moore
15 August 2017