Justice Committee

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

Written submission from Shirley Anne Watson

1. Did you support the original legislation?

No

2. 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, I do believe that the other existing law is sufficient, e.g. ‘breach of the peace’.

3. 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, I believe it disproportionately criminalises and discriminates against young, working class football fans. The major flaw is that you could do the same thing at a rugby match and not face punishment.

4. 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

5. 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, I agree.

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

I don’t believe it has done anything to address the issue of sectarianism in Scotland.

Shirley Anne Watson
12 August 2017