Justice Committee

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

Written submission from Joe O’Rourke, General Secretary, Celtic Supporters Association

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 agree with the proposal to repeal the Act. I believe the Act was illiberal and unnecessary.

2. Did you support the original legislation?

No, I did not support the Act at any time.

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?

There are sufficient laws already in place to deal with any criminal behaviour.

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?

The Act makes it a criminal act while watching or travelling to watch football, but it would not be a criminal act if going to watch any other sporting event.

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?

There are already laws that can deal with disorderly behaviour, so there was never a need for the Act.

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?
I believe there should be no further convictions, or investigations.

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

I don’t believe it has tackled sectarianism in Scotland at all, especially in certain stadiums.