Justice Committee

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

Written submission from Bruce Taylor

1. Do you agree with the proposal in the Bill to repeal the 2012 Act? What are your reasons for coming to this view?

There are existing laws. This is about using the law i.e. application of the law by police and justice system. More law will be more poorly prosecuted law.

The law picks on football clubs and their supporters and points a finger for what are far wider issues of bigotry in Scotland. It needs to be seen not as a football problem.

2. Did you support the original legislation?

No.

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.

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?

Not sure what those circumstances would be? Bad behaviour I have witnessed could be dealt with under existing law or it was not criminal behaviour.

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?

Yes. But it is not a football problem, it is a social problem.
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?

Please use existing law.

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

What is the evidence?

Bruce Taylor
16 August 2017