Justice Committee

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

Written submission from Jim Lister

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Yes, I believe the Act should be repealed. It is not needed, cannot be enforced and where attempts have been made to do so it has squandered scarce public resources.

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?

No and by the way (I've italicised it) that’s a “leading question” and undermines the credibility of this process, also it is better to avoid beginning a sentence with “if”.

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, it is discriminatory. It would be amusing to observe ill-informed police officers engaged in a cat and mouse pursuit with young men were it not for the huge waste of public resources.

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?

This is another leading question – I should refer you to the sheriff and his judgement that the act is “mince”.


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?

The sooner the curtain comes down on this farce the better. It would be good to see the McKeystone cops put their undoubted skills and resources to tackling organised crime.

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

Given that the authors of the 2012 Act don’t understand the societal causes of the remnants of anti-Irish sentiment in modern day Scotland then how could it? But then in the republic of the blind the partially sighted will be president.

Jim Lister
12 August 2017