Justice Committee

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

Written submission from Tony Flynn

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

I believe the bill should be removed as I feel discriminated against by going to a football match. There is real concern from me that you can be offended by someone’s national anthem, name, music choice.

2. Did you support the original legislation?

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?

Criminal Law is in place to safeguard the public, asking for to specify the particular law provisions is absurd. How about a review of the law rather than specifying a particular demographic? As a football fan I feel there is a heavy handed approach in comparison to other sports. Take rugby for example, I could be travelling to a rugby game eg Scotland v England, singing a song with thousands of my compatriots, the police even joining in the festivities. The same game only football I could go to jail.

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?

See point 3

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?

No, an amendment to the law is necessary. Not to discriminate against football supporters.

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?

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

“We are the people” is written on the walls of Ibrox and The Rangers players aren't allowed to wear green boots.....

In case you don't understand let me be clear. IT HAS NOT.

Tony Flynn
11 July 2017