Justice Committee

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

Written submission from Kevin Doyle

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 completely agree with the repeal as it is an attack against football fans. There are already laws in place that deal with any criminal acts at football matches. Football fans should not be treated different from any other member of society yet this Act deliberately sets out to try criminalising football fans.

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 I think there are sufficient laws already in place that are sufficient for any criminal act at a football ground. Laws such as Common Law Breach of the Peace, Section 74 of the Criminal Justice (Scotland) Act 2003, section 38 of the Criminal Justice and Licensing (Scotland) Act 2010.

There was never any need for any extra laws to target football fans as a whole most fans are well behaved who attend regulated football matches.

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?

I don’t think there is any need to treat a football fan differently to any other member of the public. Anyone who attends a football shouldn’t have to come under different laws. The Act is too confusing to itself we’re it doesn’t even explain clearly what it seems to break it.

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 already are other laws in place that deal with this such as the Communications Act. There should be no need to create another Act for this behaviour when there is already a law in place. No one should be charged under a different law because they attend a football match.
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 the Act should cease with immediate effect. I think all pending cases should be dropped and any previous cases should have the charges scrapped from there record.

A law that only criminalises football fans should have never came in to effect in our modern society. To put people through the courts, put their families through so much stress, put people at the potential to loose there job for a law that only targets football fans is nothing short of disgraceful.

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

I don’t think this has done anything to tackle sectarianism. There have been no convictions of this charge that tackle sectarianism.

There are already laws in place that tackle sectarianism. To tackle sectarianism we need to educate people, not criminalise football fans.

Kevin Doyle
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