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. The original legislation to my mind is flawed, taking just one aspect you can be convicted of Offensive Behaviour when in fact no one was offended, just that what you were deemed to have said or sung someone may find it offensive if in fact they had heard you? You have to consider the seriousness of a law like this and consider it “The thin edge of the wedge”. It is an attack by the state on the individual, giving both the state and the Police powers that I consider an affront to civil liberty.

2. Did you support the original legislation?

No, it was totally flawed. Legislation was already in place to cover most of this act in any case but this has completely infringed on civil liberty.

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?

I think there are already sufficient laws in place, repealing this will require the Police to actually find reason and cause and not what they deem may be considered offensive.

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?

Quite simply, football fans are unfairly stigmatised which I feel is no small part due Institutionalised snobbery and discrimination. One only needs to consider how policing of other sporting events is conducted. Government policy in this country regarding football in general (the national sport) is nothing short of scandalous, we then wonder why we have failure constantly when our teams play on the International stage and youth disorder when nothing is invested. In fact, we seem to be determined to destroy football, since this legislation many people have walked away so speak, not to mention the many who now have criminal records with the knock on effect to their lives, people who quite simply would never break the law under any other set of circumstances. Those responsible for this legislation should actually be ashamed.

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?

Religious or Racial Hatred that are issues that should and could be dealt either separately or through specific legislation, this association with Football and this legislation was ill though out and unnecessary, maybe we should proscribe people marching down our streets actively showing hatred of another religion, I doubt a similar protest with a racial theme would be tolerated or indeed facilitated by local government.

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?

Yes, absolutely.

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

None, as previously stated this act seems to think by stopping sectarianism at football it will be stopped in the wider society, however our local politicians in many cases tolerate marches of hate and our national politicians indeed seem to tolerate this, this legislation did not attack the core of the issue and passed the buck so to speak onto football clubs and supporters.

Neil Tuohy
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