Justice Committee

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

Written submission from Michael Bannister

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 act is a complete waste of taxpayers’ money, abused by Police Scotland as a tool for harassment on those who attend football across the country.

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 believe a breach of the peace would suffice.

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?

The law shouldn’t apply to anyone in society as it is completely ill thought out.

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?

Breach of the peace would cover this as well.

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 think the bill should be scrapped immediately, no further convictions and anyone with charges against their name be cleared.

7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?
The act, in my view, has done nothing to stop sectarianism and has more being used as a tool to harass certain groups of supporters up and down the country.

Michael Bannister
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