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 am in full support of the repeal as from the outset this Act has been flawed and totally unnecessary.

2. Did you support the original legislation?

No – reason as above.

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, existing provisions of criminal law are sufficient, 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.

Also, I do not believe that repealing section 1 will create a gap in the criminal law.

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?

Totally unfair that football supporters are treated differently to other sections of society, through this legislation.

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?

Section 6 has hardly been used in the whole period since it was enacted. Police and prosecutors regularly use other legislation E.g. Communications Act, 2003.

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?
With immediate effect, the Act should cease to be used against football fans.

Also, cases that are not concluded should be dropped and anyone who has been previously convicted under it, should have this removed from their records.

Finally, there should be no further convictions and a cessation of the fixed penalty notices.

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

The Act has not assisted in any way in tackling sectarianism, if anything it has created division – particularly between fans and police.

Rodger Cassidy
18 August 2017