

## Justice Committee

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

#### Letter from the Convener to the Scottish Premier League

I reiterate the Committee's thanks to you for appearing before us at very short notice in June. I quite understand why it was not possible for the SPL to send a representative to yesterday's meeting and I offer my personal apologies that, owing to the tight scheduling of this bill, we were not able to provide you with more notice.

At yesterday's meeting, the Committee had an interesting and helpful evidence-taking session with a panel of witnesses that included the SFA. The discussion touched on issues relating to the governance of Scottish football, and the Committee agreed that I should write to you with some questions for the SPL that arose from that discussion.

I would be very grateful for your responses on the following:

*Restoration of disciplinary functions to the SFA:* SFA witnesses explained that they were currently engaged in a process that they anticipated would see the return of disciplinary functions against SPL clubs to the SFA:

1. I would be grateful if you could confirm that this is broadly correct from the SPL's viewpoint and what you see as the advantages of reverting to this approach.
2. It would be helpful if you could confirm in particular (a) what assurances or actions you would require in order to agree to the return of those functions, and (b) the anticipated timescale for the return of those functions.
3. What if any relationship does the SPL envisage having with the SFA in any decision making process if and when the SFA resumes having disciplinary functions?
4. Do you anticipate that it would be the SFA rather than the SPL that would have the final say in any appeal process?

*Current use of SPL disciplinary powers:* The Committee recognises that it would be preferable if disorderly behaviour at football matches could, as much as possible, be dealt with by football clubs and football governing bodies themselves, rather than having to have recourse to the criminal law. With that in mind, we would appreciate your answers to the following:

5. Given the concerns and actions by UEFA and others, what actions could the SPL take or consider taking against a premier league club if offensive behaviour has taken place in or around the club's ground or if its travelling supporters engage in this behaviour?
6. What process is used at present to make a determination of any such complaint?
7. Are the SPL (whether or not in partnership with the Scottish Football Association) looking to change any procedure regarding such complaints?
8. Given the SPL is made up of member clubs, what can it do, and what does it do, to demonstrate that it is acting without prejudice or favour?

*Match delegates' reports:* The SFA explained yesterday that at present these reports go only to the SPL, and that it is for the SPL to deal with them as they deem fit:

9. I would be grateful if you could confirm that it is correct that all match delegates' reports are sent to you and are not shared with or passed on to the SFA.
10. I would also be grateful if you could explain what process is then followed within the SPL to deal with those reports.
11. Have you dealt with any discipline or misconduct matters as a result of any report and, if so, what were the outcomes?

It would be helpful to have a response by no later than next Thursday (22<sup>nd</sup>) if at all possible, so that we are able to consider your response before discussing our draft report to Parliament.

Christine Grahame MSP  
Convener, Justice Committee  
14 September 2011