

Justice Committee**Offensive Behaviour at Football and Threatening Communications (Repeal)
(Scotland) Bill****Written submission from Club 1872****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, we are in complete agreement with the proposal to repeal the 2012 Act. Club 1872 is one of the biggest football supporters group in Scotland with over 8,000 members. In 2016 we polled our membership on their views on the repeal of the 2012 Act. Our members voted overwhelmingly to support repeal (with over 90% in favour of repeal). Members who contacted us directly to comment on our poll indicated that they view the Act as illiberal, discriminatory and unworkable.

2. Did you support the original legislation?

Club 1872 was not formed until 2016, so did not hold any view on the original legislation.

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?

Our members indicated no concern about repeal of this section leaving a gap in criminal law. They were fully supportive of a complete repeal, including of this section.

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?

Our view on this section is that it should be repealed.

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?

Our members indicated no concern about repeal of this section leaving a gap in criminal law. They were fully supportive of a complete repeal, including of this section.

- 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?**

Club 1872 has no view on this point.

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

Members who contacted us directly to comment on our poll indicated that they did not believe the 2012 Act had been successful in tackling sectarianism. They indicated that this informed their view that the Act should be repealed.

Club 1872
16 August 2017