

Proposed Football (Strict Liability) (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Please select the category which best describes your organisation

No Response

Please choose one of the following; if you choose the first option, please provide your name or the name of your organisation as you wish it to be published.

I would like this response to be anonymous (the response may be published, but no name)

Name or Name of Organisation

██████████

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

████████████████████

Page 7: Your views on the proposal

Q1. Which of the following best expresses your view of the proposal to introduce strict liability for football clubs in Scotland?

Fully Supportive

Please explain the reasons for your response

Since moving to Glasgow in the late 80s, it is disappointing that, despite huge advances in the acceptance of all types of diversity, friends of mine still cannot take their children to a football match without 'Fenian bastards' being shouted at them and hearing sectarian songs. What is it about football fans that incites so much hatred, yet is unpunished for doing so? I will never understand how such behaviour is tolerated and yet I understand for the police to individually prosecute each case would be overwhelming. The clubs will

Q1. Which of the following best expresses your view of the proposal to introduce strict liability for football clubs in Scotland?

never police themselves voluntarily as it is not in their interest to do so. Strict liability with the penalty of fines and deduction of points is the ONLY way to make clubs and fans self regulate.

Q2. Could the aims of this proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

No

Please explain the reasons for your response

I do not believe the clubs will self regulate or improve unless a law is passed.

Q3. What do you think would be the main advantages, if any, of holding clubs responsible for the behaviour of their supporters?

Clubs and fans (most of whom are decent and only there to support their team) should feel supported by laws around behaviour. If clubs risk automatically losing money and points their survival depends on fans behaviour. Problem fans are already a small but sadly very vocal minority. Strict liability through club and peer pressure will ultimately make this minority much smaller and significantly quieter.

Q4. What do you think would be the main disadvantages, if any, of holding clubs responsible for the behaviour of their supporters?

None, clubs that refuse to act will get the punishments they deserve.

Page 11: Behaviours and sanctions

Q5. If there is to be a system of strict liability, which of the following behaviours do you think should be covered (choose all that apply)--

The invasion or attempted invasion of a field of play

The throwing of objects

The lighting of fireworks or any other incendiary objects

The use of laser pointers or similar electronic devices

Violent or threatening behaviour

Abusive or offensive language or messages (including verbal abuse of any person by reference to their race, sex, sexual orientation, religion or belief or disability)

Q5. If there is to be a system of strict liability, which of the following behaviours do you think should be covered (choose all that apply)--

Acts of damage

Disorder in or near the stadium

Please explain the reasons for your response

I do think there needs to be a clear definition of what is 'in or near the stadium'. These are 2 different things. It is not reasonable to expect a club to be responsible for fans' behaviour say in the city centre. The SFA and clubs can only be expected to enforce standards within their own grounds and any grounds their fans are visiting. It is also important to recognise that the sanctions do not replace the existing laws of the land. Abuse, assaults, damage to third party property etc as listed are still criminal offences and must be dealt with by the police as appropriate. Strict Liability should be welcomed as an additional and powerful deterrent to widespread misbehaviour.

Q6. If there is to be a system of strict liability, which of the following sanctions do you think should be available (choose all that apply)--

Fine

Match-specific penalties (e.g. annulment of result; requiring a match to be replayed; forfeiting a match)

Competition-specific penalties (e.g. deduction of points; withdrawal of title; disqualification/exclusion)

Community action (e.g. education programmes, working with local schools)

Please explain the reasons for your response

Some of the above options penalise the non-guilty parties, e.g. If you were wanting to say penalise Rangers banning them from selling tickets to an away game at say Dundee, harms Dundee as a byproduct by affecting their income. Match and competition specific penalties, plus fines, are the most effective, as they target only the guilty club.

Page 13: Financial implications

Q7. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly costneutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Football clubs			X			
(b) Football supporters and other individuals			X			
(c) Scottish Government and public sector bodies			X			

Q7. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

(such as Police Scotland)						
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Please explain the reasons for your response.

I think any increase in costs would be offset in the medium terms by better behaviour and less need for expensive policing.

Page 14: Equalities

Q8. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation?

Positive

Please explain the reasons for your response

I think respect for religious diversity alone would make a positive difference.

Q11. Do you have any other comments or suggestions on the proposal to introduce strict liability for football clubs in Scotland?

I wrote to my local MSP Jackson Carlaw (Conservatives) about this. He told me he didn't think either the OBFA nor Strict Liability worked or were necessary. However his response stated he was indeed of the view that sectarianism was "a scourge" and a "scar on Scotland". When I asked him why, given that view,

Q9. In what ways could any negative impact of the proposed Bill on any of these protected characteristics be minimised or avoided?

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Page 16: Sustainability of the proposal

Q10. Do you consider that the proposed Bill can be delivered sustainably, i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

Please explain the reasons for your response.

I see no reason why there should be anything other than positive impact on society.

Page 17: General

Q11. Do you have any other comments or suggestions on the proposal to introduce strict liability for football clubs in Scotland?

and that football was by far the greatest outlet for sectarian behaviour, he felt the status quo was correct he had no answer.

When pressed on what he would do to remove the scourge/scar he had no answer. It surely cannot be that all parties believe that football grounds are an outlet and breeding ground for ongoing sectarianism, yet steadfastly refuse to do anything to change the status quo and address it. Scotland must grasp the nettle, or thistle, and act if we want to ensure our young people do not see or get chance to perpetrate the same behaviour as their forebears.