

# 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 am content for this response to be attributed to me or my organisation

**Name or Name of Organisation**

John Cole

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.

[REDACTED]

## 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**

Acceptance of responsibility and attendant sanctions are the only way of ridding football of sectarian chanting, and changing the culture of normality surrounding it. Thus far clubs are so reluctant to deal with it, I think it reasonable to infer that some of them benefit from sectarian attitudes.

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**

Over the last several decades, attempts at education have simply not worked. In fact there is from my perspective ample evidence that Rangers and Celtic pander to sectarian elements their support.

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

If appropriate sanctions accompany Strict Liability, then fans will quickly realise that poor behaviour is unacceptable. I believe that will have a knock on effect in society in much the same way as drinking and driving attaches Pariah status on offenders.  
In terms of sectarian behaviour it may have a depolarising effect which over time may bring some equilibrium to teams' fan bases.

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

If the system is run fairly, I can see none.

## 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

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The throwing of objects

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The lighting of fireworks or any other incendiary objects

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The use of laser pointers or similar electronic devices

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Violent or threatening behaviour

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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)

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Acts of damage

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Disorder in or near the stadium

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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)--

Other (please specify)

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**Please explain the reasons for your response** Sectarian chanting.

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)--

Warning/reprimand

Fine

Ban on selling tickets to supporters for away matches

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)

Playing of a match behind closed doors (i.e. fans not able to attend)

Partial stadium closure (i.e. certain sections of a stadium closed to fans)

Other (please specify)

**Please explain the reasons for your response**

Also withdrawal of licence to play football - effective expulsion. A range of punishments is appropriate as a progression towards sporting penalties. Neutral venues won't make a difference and only export the problem. Ultimate sanction appropriate for persistent offenders.

## 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			

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

<b>(c) Scottish Government and public sector bodies (such as Police Scotland)</b>					X	
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**Please explain the reasons for your response.**

If effective costs involving damage and public services (police, NHS, etc) would reduce significantly.

## 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 believe SL will change attitudes for the better as offenders are ostracised. This can only have a positive effect on equality.

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

Firstly, by removing administration of SL COMPLETELY from the SFA.  
Then, putting in place (after consultation) a proper schedule of offences and sanctions.  
Crucially, the system cannot be run by the SFA, which despite appearing to be a quasi-legal body, is in fact a trade association with no incentive to properly sanction its own members.  
The SFA running something like this would be like a sticking plaster over a gaping wound and render the system useless.

## 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

## Page 17: General

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

I think the system has to recognise the scale of offences especially with regard to quantifying damage and extent of offensive chanting. A couple of idiots in a crowd of 30000 is not as deserving of severe sanction as half of their number behaving inappropriately.

I think that the problems which are most serious for Scottish football are less to do with property damage and more to do with sectarianism and sectarian violence. I think the bill should reflect that.