

Proposed Football (Strict Liability) (Scotland) Bill

Page 2: About you

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

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Other (e.g. clubs, local groups, groups of individuals, etc.)

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

The Queen's Park Football Club Ltd

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 opposed

Please explain the reasons for your response

Strict liability will condemn every home club in Scotland to the risk of being put out of business on a permanent basis by sanctions imposed for the conduct of supporters of another Club where the Home Club is in no way responsible for and can do nothing to prevent the behaviour in question.

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

Yes (if so, please explain below)

Please explain the reasons for your response

Supporters' safety is best secured through the cooperation of everyone involved in the match experience such as Police authorities, local authorities, and match attendees. Enhancing the channels of communications between these parties would invariably make UC less likely to occur.

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

No Response

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

Strict liability will detract investors especially at the small clubs level as it would create a sense of uncertainty around where to best allocate their funds. Unacceptable Conduct is not consistent and therefore investors will have to put in place contingency plans in case of it occurring. This means ring fencing capital which could be used for youth player development, stadia enhancement etc in order to pay for liability claims.

Most clubs will be required to purchase insurance as they are not financially or logistically capable of dealing with claims on their own. These are likely to be costly given the complexity of the insured risk given that there is simply no way of telling whether Unacceptable Conduct will occur at a certain match. If Unacceptable Conduct occurs repetitively the insurance premium will increase with each occurrence. Such expenditure is simply unsustainable.

Insurance companies will force Clubs to put in place specific measures in order to access insurance cover which for small Clubs with a small amount of cash flow will be impossible to do.

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)--

Please explain the reasons for your response

There should be no system of strict liability. There is already a detailed and effective system for dealing with all types of Unacceptable Conduct in Scottish Football. this includes all of the above and more types of misconduct.

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)--

Please explain the reasons for your response

We have not responded as there should be no such system. Of strict liability. The Scottish FA Judicial

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)--

Panel Protocol and the SPFL Rules already make provision for all of the above and more types of sanction.

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 (such as Police Scotland)						X

Please explain the reasons for your response.

A system of strict liability would leave us open to crippling and business ending costs arising from the visit to our Home ground of a bigger Club with a large travelling support which engaged in Unacceptable Conduct. We could do nothing to stop it and our security and police could not and would not intervene leaving us with an open ended liability for misbehaviour for which we had no responsibility and about which we could do nothing.

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?

Neutral (neither positive nor negative)

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

No Response

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?

Unsure

Page 17: General

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

No Response