

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

Commercial organisation (company, business)

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

Cowdenbeath 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.

[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 opposed

Please explain the reasons for your response

This seems to be a rather draconian measure based on a fairly simplistic approach to a multi-faceted issue. Political rather than practical concerns seem to underpin it as it treats football and its fans as a sector of society where special measures are required.

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

This is a catch-all sledgehammer to crack a nut rather than a focused approach.

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?

Not Applicable - Clubs are already responsible in this area and this is reinforced by both SPFL and SFA rules.

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)--

No Response

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 do not support strict liability. There is already a detailed and effective system for dealing with all types of Unacceptable Conduct in Scottish Football. That includes all of the above and other types of misconduct.

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.

Our club has represented its community with pride for over 135 years despite facing many significant challenges. 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. It would also hit our own fans in their pockets - as costs would inevitably have to be passed on for economic reasons by clubs. Fans and clubs - the many being punished for the actions of others.

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