

# 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**

Neil Jordan

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?

Partially opposed

**Please explain the reasons for your response**

Firstly it is unclear that this could work. I regularly attend my clubs home matches, seldom do I encounter any form of hooliganism. Were that not to be the case I would review my season ticket holder status and that of my two daughters who also attend. I think that current legislation should be used in all walks of life without any need to single out football supporters, who are after all simply members of the public attending a sporting event. I also attend other sporting events such as rugby, badminton & boxing, I see no proposal

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

to impose strict liability on Ricky Burns although at almost every bout I have attended their has been a punch up, sometimes several amongst members of the public in attendance. It has been a very long time since I have witnessed anything similar at a football match.

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**

Simply by asking the law enforcement in attendance whether stewards or police officers to be diligent and not to ignore any offences being committed purely because of weight of numbers. If for example offensive chanting of any sort is taking place, simply arrest & prosecute as many of those responsible under current laws. I would also suggest that fines should be levied pro-rata to the defendants earnings & ability to pay!

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

I can think of very few, if any advantages.

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

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

One set of supporters could in a calculated effort attempt to misbehave while masquerading as an opponents supporters purely in an attempt to obtain a points deduction for that opponent. This may seem far fetched but in today's social media society I would suggest it is far from impossible. I also fail to see how most clubs, my own included can do more. I also think as a supporter who has regularly attended matches for over forty years that the wholesale improvements in the football experience over that time period have been nothing short of miraculous!

## 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**

All of these offences are in my view serious to varying degrees, they should also be dealt with under current legislation.

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

Ban on selling tickets to supporters for away matches

**Please explain the reasons for your response**

There must be absolutely no possibility of any governmental interference in sporting integrity. I would urge those making the decision regarding this potential legislation to consider very carefully the potential accusations off the back of say, a points deduction that were to cost a team a place in European competition to the benefit of a rival.

## 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.**

I cannot fathom the potential impact of the proposal other than to view all authorities and agencies with suspicion of bias in terms of what the perceived injustices would/could be. Whether rightly or wrongly, as you must be aware you could sometimes be dealing with a section of society which can be and frequently is irrational in their perceptions.

## 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?

Negative

**Please explain the reasons for your response**

I am a son, brother, nephew, cousin, husband and father. I come from a hard working background and have been fortunate to have been in gainful employment my entire working age life. The only time that I

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now occasionally feel discriminated against is attending football matches, there is something different in the way I am treated when going to/from or at a football match in Scotland. Disrespected may be too strong but it is definitely something approaching that.

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

By abandoning any attempt at government interference in sport. Other than to legislate for and demand public safety at all times regardless of where we are or indeed, what we are. Certainly government should not single out the ordinary football club/supporter as anything other than law abiding until a law is broken. Then it/they should be dealt with by the courts.

## 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?

No

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

See previous comments.

## 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 would urge that this be abandoned at the first possible opportunity.