

SCRAP THE FOOTBALL ACT:

YOUR CAMPAIGN PACK



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It's time to Scrap the Football Act.

Building on a commitment from our 2016 manifesto Labour has launched a campaign to scrap the SNP's Football Act. James Kelly, MSP for Glasgow, has officially lodged his proposal for a bill to repeal the Offensive Behaviour at Football and Threatening Communications (Scotland) Act with the Scottish Parliamentary authorities. The proposal would repeal the legislation in its entirety.

Sectarianism cannot and should not be tolerated anywhere in Scotland. It is because the problem of bigotry goes beyond 90 minutes on a Saturday that this Act has failed to tackle sectarianism in a proportionate or effective fashion.

The Act is illiberal. It has broken down the trust between fans and the police, and voices including anti-sectarianism charities, lawyers, judges, civil rights groups, football fans and clubs have serious concerns about the legislation.

The SNP Government's own figures show that young men, in particular, are becoming increasingly criminalised by this legislation.

### **Now it is time to Scrap the Act.**

As part of the legislative process, James has also launched a public consultation asking for the views of experts, football clubs, members of the public and others.

We want to get the views of as many people as possible so everyone gets their say at [www.scraptheact.com](http://www.scraptheact.com).

### Top Lines

- The SNP railroaded the Football Act through Parliament even though it was opposed by all opposition parties and by leading anti-sectarianism charities. It is the first and only piece of Holyrood legislation to be passed without cross party support.
- Sectarianism cannot and should not be tolerated anywhere in Scotland, yet it is because the problem of bigotry goes beyond 90 minutes on a Saturday that this Act has failed to tackle sectarianism proportionately or effectively.
- The Act has eroded trust between football fans and the police at a time when public confidence in our force is already at a low point.
- The Act is illiberal, increasingly criminalising young men, and voices including anti-sectarianism charities, judges, and football fans and clubs have serious concerns about the legislation.
- We want to tackle sectarianism through education and prevention, working with anti-sectarianism charities, churches, football authorities and fans to develop positive measures to stamp out sectarianism in Scotland once and for all.

### What is the Football Act?

The Offensive Behaviour at Football and Threatening Communications Act criminalises behaviour in football stadia and football settings, which is why it has become known as the Football Act. It was rushed through following a number of controversial incidents, both on and off the pitch, which took place in early 2011.

### Why is Scottish Labour campaigning to scrap the Act?

Leading anti-sectarianism charities and every opposition party opposed this illiberal legislation when it was railroaded through by a majority SNP Government. It has disproportionately targeted and criminalised young, working class men - without tackling the root causes of sectarianism.

Across the political spectrum, there is agreement that sectarianism cannot and should not be tolerated anywhere in Scotland, whether in our communities, schools or workplaces. Supporters of this proposal fundamentally disagree with the Scottish Government that the Act has helped to tackle sectarianism.

### When will the Act be repealed?

James has begun a 12 week consultation via the [scraptheact.com](http://scraptheact.com) website, which must be completed as part of the Members' Bill process. James will then confirm support from at least 18 MSPs across three parties and then Parliament officials will help with the preparation of the Bill. The consultation at [scraptheact.com](http://scraptheact.com) is open until 23 October 2016.

### Do police and the courts need this legislation?

Before this legislation was introduced, there was a plethora of offences available to prosecute hate crimes, which are still being used to this day. Complaints from sheriffs have highlighted that the Act fails to lead to fair justice unlike other offences. The way this legislation was rushed through Parliament means that it has been poorly drafted, causing confusion in the courts leading to inconsistent application.

### Would section 6 be repealed?

James intends and proposes to repeal the whole Act for the reasons set out in the consultation, and that is his starting point. The consultation allows respondents to provide feedback on both key offences in the Act. The consultation also seeks views on 'strict liability' because it is topical, even though no such proposal is included.

### How should we tackle sectarianism?

The SNP need to understand that tackling sectarianism goes far beyond 90 minutes on the football pitch and instead should go into our classrooms and community groups. When the legislation was being passed we launched a plan with a raft of positive measures that sought to target the root causes of sectarianism, change attitudes and challenge those who peddle sectarian beliefs. Our plan focused on education and young people to stop bigoted attitudes from taking hold in the first place. An example of Scottish Labour's methods of tackling sectarianism is the way we pioneered joint campus schools. This is just one way we can tackle the issue effectively.

### What have the other parties said about this?

The Greens, Liberal Democrats and Conservatives have previously said that they would repeal this legislation and their manifestos also commit to this.

### Why are you asking about strict liability?

James is rightly using this consultation to give consideration to strict liability after the Cabinet Secretary for Justice, Michael Matheson, raised it at the Scottish Football Association AGM as a way to crack down on "unacceptable conduct".

Strict liability was considered by the Advisory Group on Tackling Sectarianism in its final report *Tackling Sectarianism and its Consequences in Scotland* (April 2015), and is supported by anti-sectarianism charity 'Nil by Mouth'.

### How can I have my say?

The full proposal, consultation documents, and consultation survey can be found at [www.scraptheact.com](http://www.scraptheact.com) and responses can be submitted up until **23rd October**.

We have produced new A6 postcard style leaflets for campaigning at football grounds and in your local community.



**SHOW THE FOOTBALL ACT THE RED CARD**

**SCRAP THE ACT**

**WHAT PEOPLE ARE SAYING ABOUT THE ACT...**

“The SNP’s Football Act has damaged trust between football fans and the police without doing anything to combat sectarianism and intolerance in our country.”  
James Kelly MSP

“I struggle to see the point of this Act. One of the major concerns was it had an extremely long reach and was very vague in its terms.”  
Chris Fyffe, Solicitor Advocate.

“The legislation is likely to go down in history as the most illiberal and counterproductive act passed by our young Parliament to date.”  
Professor Tom Devine

“This [Act] is poorly planned and poorly drafted.” Liberty

**WHAT YOU CAN DO...**

**SCRAPTHEREACT.COM** **#SCRAPTHEREACT**

▶ **SIGN THE PETITION.**

▶ **HAVE YOUR SAY ON THE CONSULTATION.** ▶ **LOBBY YOUR MSP.**

**Scottish Labour**

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**HAVE YOUR SAY AT:  
WWW.SCRAPTHEREACT.COM**

Request your free campaign materials by calling the Scottish Labour Party office on **0141 572 6900** or by emailing [scotland@labour.org.uk](mailto:scotland@labour.org.uk)

On pages 8 and 9 of this campaign pack you will find a poster and petition, which you can print to support your campaign.

You can also encourage people to sign our petition online at:

[www.scottishlabour.org.uk/page/s/petition-scrap-the-act](http://www.scottishlabour.org.uk/page/s/petition-scrap-the-act)

### What can you do?

1. Have your say – respond to the consultation at [www.scraptheact.com](http://www.scraptheact.com)
2. Share the [www.scraptheact.com](http://www.scraptheact.com) details on social media using the #scraptheact hashtag, to encourage friends and family to respond to the consultation
3. Speak to fans and hand out Scrap the Football Act leaflets at your local football ground

### Sharing the campaign online

One of the quickest and easiest ways to support the campaign is online. This section sets out the resources and advice to help you.

#### #scraptheact

Use the hashtag #scraptheact on Facebook and Twitter to help spread the word about our campaign to your family and friends.

#### Social media graphics

We have also produced a series of graphics which you can use on your social media platforms. These can be downloaded here:

<http://www.scottishlabour.org.uk/page/-/Scrap%20the%20act%20graphics.zip>

Always remember to use the campaign hashtag #scraptheact

### Local campaigning

Help us spread the word about our campaign to scrap the Football Act at your local football ground, street stall or in the wider community.

#### Ways to engage people

- Hand out the Scrap the Act postcards at football matches and tell fans about our campaign.
- Ask people to sign our petition (remember to keep the data safe so that you can give a campaign update later on).
- Make a video - videos are an engaging form of content on social media. Whilst at the football ground ask fans if they would be willing to be in a short (1 minute max) video telling you why they think the Football Act should be scrapped. You can then tweet the video: remember to tweet @scottishlabour and we will retweet from the Scottish Labour twitter feed.
- Be creative. Why not try taking out a whiteboard and asking people to write why they think the Football Act should be scrapped. These make great photos and videos on social media.
- Ask local community groups such as pub football teams or local sports clubs to sign our petition.
- Put up a Scrap the Act poster at your local community centre or sports club.

### Campaigning in the local media

Below are some template letters that can be sent to the Editor of your local paper to highlight the campaign in the press.

#### Example Letter 1

Dear Editor

As far as report cards go, Nicola Sturgeon's old law lecturer Alistair Bonnington didn't pull any punches recently.

The former law professor at Glasgow University said that Scotland produces the lowest quality legislation in Europe.

He must have had the SNP's controversial Football Act in mind when he said that – it takes a special level of incompetence for a law to be branded 'mince' by a Scottish judge.

The law only exists because of the SNP majority government of 2011-2016. No other party supported it. Now there is a chance to get rid of the law.

Labour MSP James Kelly has launched a consultation on a proposal to repeal the Act. Football fans, folk who want to see sectarianism tackled and people who just want to see better laws coming out of Edinburgh should go to [scraptheact.com](http://scraptheact.com) and have their say.

Regards

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#### Example Letter 2

Dear Editor

I was pleased to see Labour MSP James Kelly announce his intention to repeal the Football Act recently.

The law is the only piece of legislation passed by Holyrood with no cross party support. The SNP have become arrogant and complacent in government and the Football Act is the best example of it.

With the SNP now a minority government in the Scottish Parliament and every opposition party opposed to the law, it can now be repealed. Every football fan should make their voice heard by logging onto [scraptheact.com](http://scraptheact.com) and having their say.

It's a piece of law described as mince by judges – it's time for it to go.

Regards

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#### Example Letter 3

Dear Editor,

With the football season now underway I hope it is the last one policed by the SNP's misguided Football Act.

We know the law, bulldozed through Parliament with no cross party support, has broken down trust between police and football fans. It doesn't work and it is time for it to go.

The SNP government should be spending more money on education to make Scotland a more



tolerant, inclusive country. The idea that sectarianism is an issue solely for football stadiums is utter nonsense.

Labour MSP James Kelly has lodged a consultation seeking views on repealing the bill, and I encourage all football fans and everyone who wants to see sectarianism tackled properly to have their say at [scraptheact.com](http://scraptheact.com) so we can show this awful law the red card.

Regards

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SHOW THE  
FOOTBALL  
ACT THE  
RED  
CARD

SCRAP  
THE  
ACT



HAVE YOUR SAY AT:  
[WWW.SCRAPTHEACT.COM](http://WWW.SCRAPTHEACT.COM)



