



**POLICE
SCOTLAND**

Keeping people safe

POILEAS ALBA

National Strategy for Policing Football in Scotland



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1. Introduction

- 1.1 The Police Service of Scotland recognises that although the vast majority of football supporters are law abiding and are passionate about the game and their team, a minority of supporters engage in inappropriate or criminal behaviour at football, including hate crime, offensive behaviour, violence and disorder.
- 1.2 No single organisation can fully tackle these issues in isolation and this National Strategy sets out the commitment of the Police Scotland Football **and Events** Working Group (**FEWG**) members to jointly deliver a secure environment that will keep people safe whilst enjoying the national game.
- 1.3 The **FEWG** members are:
- British Transport Police (BTP);
 - Crown Office and Procurator Fiscal Service (COPFS);
 - Football Safety Officers' Association Scotland (FSOAS);
 - Police Scotland;
 - Scottish Football Association (Scottish FA);
 - Scottish Government; and
 - Scottish Professional Football League (SPFL).

2. Our Vision

- 2.1 Scotland's national game is free from hatred, offensive behaviour, violence and disorder.

3. Strategic Objectives

- 3.1 All member organisations of the **FEWG** are committed to working together in order to achieve three key strategic objectives:
- Provide a safe and secure environment where everyone can enjoy our national game;
 - Provide a consistent, professional approach to the policing of football across Scotland; and
 - Eradicate hate crime, offensive behaviour, disorder and violence from Scottish football.

4. Key Issues

4.1 There are a number of key issues when considering the strategic objectives:

4.2 Hate Crime and Offensive Behaviour

4.2.1 Hate crime and offensive behaviour remain an unwelcome feature of the Scottish game and although in recent seasons there have been decreases in such offending, there is a small but persistent minority of football supporters who continue to commit offences at football.

4.2.2 Hate crime is a motivated crime based on prejudice that occurs when a perpetrator targets a victim because of their perceived membership of a certain group. On occasion hate crime can become violent as a result of this.

4.2.3 Examples of such groups include but are not limited to:

- Religion;
- Membership of a social or cultural group with a perceived religious affiliation;
- Ethnicity;
- Nationality (including citizenship);
- Sexual orientation;
- Transgender identity; and
- Disability.

4.2.4 Criminal offensive behaviour may also be manifested via:

- Behaviour that is threatening; and / or
- Other behaviour that a reasonable person would be likely to consider offensive.

4.2.5 On 26 January 2017 the Scottish Government announced an independent review of hate crime legislation in Scotland. The review, chaired by Lord Bracadale, has commenced and has a remit of considering:

'whether existing hate crime law represent the most effective approach for the justice system to deal with criminal conduct motivated by hatred, malice, ill-will or prejudice.'

4.2.6 In particular the hate crime review will examine:

- Whether the current mix of statutory aggravations, common law powers and specific hate crime offences is the most appropriate criminal law approach to take

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- Whether the scope of existing laws should be adjusted, including whether the religious statutory aggravation should be adjusted to reflect further aspects of religiously motivated offending
- Whether new categories of hate crime should be created for characteristics such as age and gender (which are not currently covered)
- Whether existing legislation can be simplified, rationalised and harmonised in any way, such as through the introduction of a single consolidated hate crime act
- How any identified gaps, anomalies and inconsistencies can be addressed in a new legislative framework, ensuring this interacts effectively with other legislation guaranteeing human rights and equality

4.2.7 The Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill, which was introduced to the Scottish Parliament on 21 June 2017, is a Bill proposing the repeal of the principal legislation for tackling football-related violence, disorder and hate crime.

4.2.8 This Bill will be making its way through the parliamentary process following the return of the Scottish Parliament on 04 September 2017 at the end of the summer recess.

4.2.9 Both the hate crime review and the consultation process which accompanies The Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill present opportunities to FEWG members to contribute to the shaping of the future legislative framework in relation to hate crime and within which football operates.

4.3 Disorder and Violence

4.3.1 Football is a vehicle for a significant minority of football supporters in Scotland to engage in disorder and violence. There is always the potential for spontaneous disorder but in many cases football-related disorder and violence is pre-planned, often involving individuals who are known to clubs or police. In tackling disorder and violence, there must be an emphasis on intelligence gathering, information sharing, training, planning and enforcement so that all organisations can fulfil their functions effectively.

4.3.2 It is worthy of note that in 2016-17 three individual matches: Rangers v Hibernian in the Scottish Cup Final on 21 May 2016 (140 charges); Hearts v Hibernian in the Scottish Cup on 7 February 2016 (34 charges); and Celtic v Rangers in the Scottish Premiership on 10 September 2016 (23 charges)) accounted for 52% of charges under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, Section 1.

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4.4 Supporters

- 4.4.1 Engagement with football supporters is crucial to delivering safe and secure events. Football supporters are not merely customers but in many cases invest emotionally as well as financially in their club and harnessed effectively, this can be a powerful driving force. Conversely, failure to appreciate the role of supporters presents a risk of generating ill-feeling and a lack of cooperation.
- 4.4.2 The concept of holding clubs responsible for their supporters' inappropriate or criminal actions **regardless of measures taken in mitigation** is commonly known as 'strict liability' and is the approach used by organisations such as the European football governing body (UEFA) and the English FA. This system is not in place in Scotland and there have been requests from respected bodies such as the anti-sectarian charity Nil by Mouth and the Scottish Government Independent Advisory Group on Tackling Sectarianism in Scotland to address this issue, either by introducing 'strict liability' or a suitable alternative.
- 4.4.3 There are opportunities to introduce initiatives to promote responsible behaviour such as non-segregation matches involving clubs where the risk of disorder is low or through publicising the charity work done by many supporters' groups. This could assist in counteracting an impression that the authorities concentrate on the negative aspects of the ill-behaved minority while failing to give credit to the majority who use football as a positive influence.
- 4.4.4 **The SPFL and the Scottish FA have put in place new measures and associated guidelines on unacceptable conduct. These measures are welcome, and data will be collected during season 2017-18, which will allow the FEWG to assess their effectiveness**
- 4.4.5 The developing network of Supporter Liaison Officers will also present an opportunity for the authorities to engage meaningfully with supporters.

4.5 Children and Young People

- 4.5.1 Scottish Government analysis shows that in **2016-17 31%** of charges under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, Section 1 related to individuals aged 20 years or under **compared to 46% in 2015-16**. When a child or young person offends it is important to understand why they offended and endeavour to identify the risks they pose themselves and others. By understanding why the child or young person has offended and identify any associated wellbeing needs, agencies will be better placed to intervene. Having suitable interventions to address such behaviour will help divert and educate them in relation to the hurt and harm caused by football-related offending and prevent future offending.

4.6 Pyrotechnics

- 4.6.1 Pyrotechnics have become a regular feature of Scottish football and present a clear risk to the safety of all at football. As with other types of offending, there must be an emphasis on intelligence gathering, information sharing, training, planning and enforcement so that all organisations can fulfil their functions effectively.

4.7 Misuse of Alcohol

- 4.7.1 The consumption of alcohol is an integral part of many supporters' match day experience, however the misuse of alcohol is a contributory factor in many instances of football-related offending. There is therefore a need for the relevant authorities to balance the enjoyment of responsible drinkers with the requirement to prevent offending related to over-consumption of alcohol.

5. Commitments

- 5.1 Much of the work to deliver the strategic objectives is underway and all FWG member organisations are committed to continuing the work already undertaken to improve the relationships and working practices associated with the delivery of safe and enjoyable football fixtures.
- 5.2 Continued implementation of the strategy to meet the objectives can be achieved through the adoption of a number of commitments which will ensure all FEWG member organisations fulfil their obligations. The commitments for season 2017-18 are:
1. FEWG members will engage in genuine open engagement with supporters to build upon existing relationships and develop new relationships within a trusting environment;
 2. FEWG members will maintain regular constructive and meaningful dialogue with each other on all current and emerging football-related matters;
 3. FEWG members will share all relevant information and intelligence in line with Data Protection Principles;
 4. FEWG members will continue to challenge and, where appropriate, sanction unacceptable or criminal behaviour but will also look for opportunities to introduce and better publicise initiatives or incidents related to responsible behaviour;
 5. FEWG members will ensure all relevant staff are fully trained to carry out their role, including adopting the sharing of training materials and working practices where appropriate to ensure a safe and consistent approach;
 6. FEWG members will ensure they develop and implement strategies to reduce the harm caused by over-consumption of alcohol associated with football;

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7. FEWG members will collectively seek methods of further addressing the dangers of pyrotechnic devices associated with football;
8. FEWG members will, where appropriate, engage positively with the independent hate crime review and the parliamentary consultation process for The Offensive Behaviour at Football and Threatening Communications (Repeal) (Scotland) Bill;
9. FEWG members will look collectively at identifying other organisations that can assist with programmes to support the strategic objectives;
10. FEWG members will use all measures available, including education, diversion and enforcement, to remove offenders from the game;
11. The Scottish FA and SPFL will minimise the impact of fixture scheduling on communities through consultation with Police Scotland and communities where appropriate prior to fixtures being published and prior to any re-arranged matches; and
12. The Scottish FA and SPFL will continue to work towards ensuring clubs take greater responsibility for the behaviour of their fans at both home and away fixtures, building on the new measures and guidelines introduced to address unacceptable conduct.

6. Measurement and Review

6.1 The FEWG will monitor:

- Scottish Government religiously aggravated offending statistics;
- Scottish Government's annual analysis of charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012;
- COPFS reports on hate crime;
- Information from supporter representatives and organisations;
- The numbers and types of FBO imposed;
- Data gathered by the football authorities on unacceptable conduct and
- Information from external bodies which informs football-related policy development, including academic research or other sources.

6.2 The FEWG will review the progress in relation to the commitments at each FEWG meeting.

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7. Outcomes

7.1 The outcomes this Strategy is intended to produce are:

- Reduction of recorded incidents of hate crime, violence and disorder associated with football;
- Improved partnership working to ensure a proportionate and consistent approach to policing football;
- Improved engagement with football supporters;
- Increased public confidence in football policing;
- Proportionate disposal in terms of issuing Football Banning Orders; and
- Increased use of diversionary programmes especially for young people who offend.