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Christine Grahame MSP
Convenor
Justice Committee
The Scottish Parliament
Edinburgh
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14 September 2011

Dear Ms Grahame

I am writing to you regarding comments you made during the evidence session at the Justice Committee yesterday (13/9/11) and to seek clarification of those remarks.

During an exchange between you and Professor Tom Devine (which can be found at between 2hrs and 1minute and 2hrs and 6 minutes in the video recording) you question statistics provided by Professor Devine to the effect that Catholics are twice as likely to be the victims of sectarian aggravated assault. I think you are also arguing against his point that the existing legislation is sufficient.

You say that Professor Devine cannot use the statistics to uphold his assertion re the disproportionate number of Catholic victims of religious aggravated offences under the 2003 legislation because the existing legislation is more likely to lead to convictions of 'Rangers fans' and that it is not 'even' because 'Celtic fans' won't be convicted of any offence because they are singing political songs. Professor Devine is clear that he is talking about Catholics and Protestants but you appear to interpret this as proxies for Celtic and Rangers supporters respectively.

Notwithstanding this point, there is a clear implication in this statement that there is something missing in the 2003 legislation because it does not appear to result in the same

number of convictions of Celtic supporters. Indeed you say at one point with reference to the 2003 legislation that it is 'not even'. You appear not to consider the possibility that the reason more Rangers fans have been convicted under the 2003 Act (which is not what Professor Devine said but is nonetheless true) is because they, in large number, have sung bigoted and racist songs and Celtic fans (en masse) haven't and don't. To be blunt, you appear to suggest that there is something wrong with legislation that does not result in parity of numbers of arrests between Celtic supporter and Rangers supporters, ignoring, for the moment, any discussion of offensive behaviour by supporters of other teams.

A number of our members as well as other Celtic supporters have concerns about the motivation for this Bill and the lack of clarity surrounding the definitions of offensive behaviour. Your comments have added to these concerns. I write to you today to ask you to reassure the public that this Bill is not, in whole or in part, motivated by a desire to see Celtic fans convicted in equal number to Rangers fans for offences specified precisely with that aim in mind.

I repeat my evidence to the Committee last week, Celtic fans do not, en masse, sing songs of hate against anyone. The only alleged 'offensiveness' that critics of the Celtic support are able to bring up is the singing of Republican songs. These songs, in and of themselves, are not aimed at Protestants or of adherents of any other religion, they are political in nature and, as such, the outlawing of them is potentially a breach of the right to freedom of expression. Such an unwarranted restriction of freedom of speech would, I am sure, be resisted not only by Celtic fans but by all democrats. I would add that the appropriateness of such songs being sung at a football match is an entirely separate question for Celtic supporters alone and one which does not involve any question of legality, nor does it require the scrutiny of the Parliament.

It would be unfortunate indeed if the public were left with the impression that the intention of the drafters of this Bill is to ensure that Scotland can ignore its anti-Catholic and anti-Irish problem by engineering *parity of convictions* between Celtic supporters and others and thereby rely on the dishonest 'plague on both your houses' approach which we have seen all too often.

I look forward to your reply.

Yours sincerely

A handwritten signature in black ink that reads "Jeanette Findlay". The signature is written in a cursive, slightly slanted style.

Jeanette Findlay
Chair

