

# Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 in 2014-15



CRIME AND JUSTICE

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Neil Davidson - Justice Analytical Services, The  
Scottish Government

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## Executive summary

In 2014-15 there were 193 charges under section 1 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012, reported by the police to the Crown Office and Procurator Fiscal Service (COPFS). This is a decrease of 6% on the 206 charges reported in 2013-14<sup>1</sup>, and a reduction of 28% on the 267 charges reported in 2012-13.

In the 2014-15 period, the accused were mostly males. Of the 193 charges, 189 (98%) involved a male accused.

The age profile of the accused was older than 2013-14. The mean age in 2014-15 was 27, compared with 23 in 2013-14.

The accused had an affiliation with Rangers in 58 (30%) charges, Aberdeen in 30 (16%) charges, Celtic 19 (10%) charges, and Hibernian in 16 (8%). The number and proportion of charges where an affiliation with Rangers was noted has remained similar (there were 59 (29%) Rangers affiliations in 2013-14), however charges where the accused had an affiliation to Aberdeen and Hibernian have both slightly increased. The proportion of accused that had an affiliation with Celtic has decreased in the last year (in 2013-14 the accused had a Celtic affiliation in 44 charges - 22% of the total).

The Act criminalises hateful, threatening and otherwise offensive behaviour that is likely to incite public disorder in relation to football. The nature of the offence was threatening (e.g. including engaging in fighting or challenging others to fight) in 61% of the charges. It was 'hateful' (e.g. including negative references to religion, race, sexual orientation or other forms of hatred) in 30% of charges. It was 'otherwise offensive' (e.g. including a reference to celebration of loss of life or support of terrorist organisations) in 13% of charges. Some of these charges contained reference to more than one category.

Together these findings show a trend in a proportional rise of the charges that are threatening (from 44% of charges in 2012-13, 49% in 2013-14 and 61% in 2014-15), and decreases in charges including hateful (47% in 2012-13, 36% in 2013-14 and 30% in 2014-15) and otherwise offensive conduct (17% in 2012-13, 28% in 2013-14 and 13% in 2014-15).

Of the 58 charges relating to 'hateful' behaviour, 50 charges (26%) involved incidents of religious hatred, 4% involved racial hatred, and no charges involved sexual orientation. Some of the charges contained reference to more than one category. The proportion of hateful behaviour charges that referenced religion

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<sup>1</sup> The total number of charges is taken from the most up-to-date information recorded on the COPFS case management system. This is a live system and numbers may vary from those previously published because of changes made during the course of the investigation and prosecution of a case. The research conducted last year was based on the latest information available at the time, and reported 268 charges in 2012-13 and 203 charges reported in 2013-14. The comparisons in the remainder of this report are based on the total number of charges that were analysed and included in the past reports by the Scottish Government at the time the research was carried out.

has reduced in the last three years (from 40% of charges in 2012-13, 30% in 2013-14).

Four religions were the focus of the 50 charges that referenced religion; Roman Catholicism, Protestantism, Islam and Judaism, with some charges containing reference to more than one category. As in the last two years Roman Catholicism was the main religion that was the subject of the charges that related to religion. Forty-two of the charges (84%) included behaviour that was derogatory towards Roman Catholicism. Six charges (12%) included behaviour that was derogatory towards Protestantism. One charge included derogatory behaviour towards Judaism, and one charge included derogatory behaviour towards Islam.

Around a quarter of the charges (24%) took place in Glasgow, which may reflect the city's hosting of matches that draw some of the largest crowds. This follows a reducing trend from 2012-13 (when 42% of all charges were in Glasgow) and 2013-14 (35%). In 2014-15, there were increases in the number and proportion of charges in Dundee, but this was due to a large number of charges made at a single fixture.

Fewer charges occurred in football stadiums in 2014-15 than in 2013-14 and 2012-13. There were 89 charges in stadiums in 2014-15 (46% of the total), compared with 109 in 2013-14 and 165 in 2012-13. Few of the charges took place in Scotland's three largest football stadiums. There were 8 charges at Ibrox, 5 at Hampden and <5 at Celtic Park. This also reflects decreases in the number of charges happening at Ibrox (where there were 33 charges in 2012-13 and 17 in 2013-14) and Celtic Park (40 in 2012-13 and 23 in 2013-14) over the last 3 years.

In 2014-15 there were more charges outside football stadiums (54%) than inside stadiums (46%). This is a change from 2013-14 when there were more charges inside stadiums (54%) than outside (46%).

Thirty seven percent (71 charges) took place on a main street i.e. in a town or city centre, compared with 34% (70 charges) in 2013-14.

Of the football fixtures that charges related to, 16% of charges were connected to Dundee United v Aberdeen on 13 December 2014. Seven percent were connected to Hamilton v Motherwell on 24 September 2014, and 7% were connected to Scotland v England on 18 November 2014.

From the 193 charges reported to COPFS, court proceedings have commenced in 168. Many cases are on-going and information about final convictions will be presented in Scottish Government 'criminal proceedings' publications<sup>2</sup>.

Provisional data however shows that of the 42 that have been concluded, there were 38 convictions (90%) which is a higher proportion of convictions from concluded charges that was reported in the 2013-14 report (65% proportion of convictions). This figure is subject to some uncertainty, particularly due to the lower proportion of charges concluded compared to this time last year (25%

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<sup>2</sup> See: <http://www.scotland.gov.uk/topics/Statistics/Browse/Crime-Justice/PubCriminalProceedings>

compared to 41%). The most common penalty was a fine (61% of convictions). There was one custodial sentence.

Section 6 of the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 introduced the offence of 'threatening communications' to address threats of serious harm and threats that incite hatred on religious grounds. In 2014-15 there were 5 communication charges reported to the COPFS. One of these was football related, 1 of these charges made reference to religion, 4 made a threat of serious harm.

# 1. Introduction

The Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 (hereafter referred to as the Act) came into force on 1<sup>st</sup> March 2012. The Act criminalises behaviour which is threatening, hateful<sup>3</sup> or otherwise offensive at a regulated football match including offensive singing or chanting where it is likely to lead to public disorder. It also criminalises the communication of threats of serious violence and threats intended to incite religious hatred.

This report focusses on offensive behaviour at regulated football matches and provides an analysis of charges reported to the Crown Office and Procurator Fiscal service (COPFS) in the whole financial year of 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015<sup>4</sup>.

This report provides information about the locations, dates of charges, the nature of the offensive behaviour, the age and the gender of the accused, and the nature of the victims.

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<sup>3</sup> Including where charges were added as a result of expressing hatred, or stirring up hatred, against people based on their membership, or presumed membership of a religious group, a social or cultural group with a perceived religious affiliation, or a group defined by reference to colour, race, nationality (including citizenship), ethnic or national origins, sexual orientation, transgender identity or disability.

<sup>4</sup> Although this report includes charges *reported* during 1<sup>st</sup> April 2014 to 31<sup>st</sup> March 2015, incidents may have *occurred* before this date.

## 2. Methods

For this research, an analyst from the Scottish Government undertook a review of cases files from the COPFS case management database. This database contains the information that is submitted to COPFS by the police after the accused are charged, including a description of the incident, information about the progression of the charge through the criminal justice system, the decisions that were made on whether or not to prosecute, the court's verdict, and any penalties issued by the court after a conviction. Since this is a live database, information can be updated and changed during the life of the case. For instance if the Procurator Fiscal amends a charge, the database only holds details of the amended charged.

The COPFS case management database is not designed for routine analysis but an extracted dataset has been used as the source for this research project to explore charges made under the Act.

There are a number of points that should be kept in mind when reading this report. First, this analysis is based on data that was reported to COPFS by the police and is therefore limited by what was included in their reports. Any analysis of, for example, the nature of the offensive behaviour and/or the links to drugs and alcohol depend on the extent to which this information is provided in the reports. This information may not have always been recorded by the police, for example where it was not viewed as directly relevant to the charge.

Second, this report does not present information about the real or actual personal, social, or cultural backgrounds of victims that may have been the focus of an attack. The report does not include information, for example, about the religious affiliation, ethnic origin, or sexual orientation of victims. This is because the characteristics of the victim are not relevant to an assessment of whether a crime was committed and therefore are not required to be recorded in police prosecution reports.

Finally, the analysis of charges included cases which are still underway and the findings may therefore be incomplete on some of the questions.



### 3. Findings

All of the information reported here refers to 193 charges of ‘offensive behaviour at football’ that were reported to the COPFS in the 2014-15 financial year.

Before providing further details of these charges, it is worth highlighting that these charges do not relate to 193 separate incidents. Many of the incidents which took place involved more than one accused, and/or more than one breach of the law, and will therefore have resulted in more than one charge. The bulk of the analysis in this report relates to ‘charges’ rather than to separate incidents that were reported by the police to COPFS.

The 193 charges were generated from 118 separate incidents (each incident was contained in a single police report). This is shown in Table 1. The majority of incidents (85%) involved charges being issued to one accused, 7% of incidents resulted in charges to 2 accused and the remaining 8% involved charges being issued to 3 or more accused at the same time.

**Table 1: Number of accused per incident\***

Number of accused	No. of separate incidents	No. of charges
1	100	113
2	8	24
3	5	28
4	2	9
5	1	5
6	1	6
8	1	8
	118	193

\* The number of charges does not equal the number of incidents multiplied by the number of accused because some of the accused were charged for more than one offence within one incident.

The 193 charges involved 173 accused. The majority of the accused (92%) had only one charge; the remaining 8% had two or three charges. This is shown in Table 2.

**Table 2: Number of charges per accused**

Number of accused	No. of accused	% of accused	Total number of charges
1	159	92	159
2	8	5	16
3	6	3	18
<b>Total</b>	<b>173</b>	<b>100</b>	<b>193</b>

## Details about the accused

### *Sex and age of the accused*

In the 193 charges, there were 189 males and 4 females accused.

Table 3 shows the age breakdown of the accused for each of the 193 offensive behaviour charges in 2014-15. Thirty seven percent of the accused were aged 20 or under, and just over a third were aged 21-30. The age profile of the accused for the 193 charges was higher in 2014-15 than in 2013-14. In 2014-15, the mean age of the accused was 27. This is compared with a mean age of 23 in 2013-14 and 27 in 2012-13. Also, 72% of the accused were aged 30 or below, compared with 87% in 2013-14 and 74% in 2012-13.

**Table 3: Age breakdown of accused**

Age group	2012-13		2013-14		2014-15	
	Number of charges	%	Number of charges	%	Number of charges	%
Under 16	7	3	15	7	5	3
16-20	89	33	80	39	66	34
21-30	101	38	83	41	68	35
31-40	37	14	7	3	28	15
41-50	25	9	13	6	20	10
51-60	7	3	4	2	6	4
Over 60	2	1	1	1	0	-
<b>Total</b>	<b>268</b>	<b>100</b>	<b>203</b>	<b>100</b>	<b>193</b>	<b>100</b>

## ***Alcohol and drug-related charges***

The police reports describe the accused as being under the influence of alcohol in 39 charges, shown in Table 4. This finding may under-report the links between alcohol and offensive behaviour as it is possible that police did not always report whether the accused had been drinking or not. It is also not possible to quantify the amount of alcohol consumed in any given case.

Only a small number of charges were reported to have involved drugs. These were incidents where the police recorded that the accused was in possession of drugs or they suspected had taken drugs before the offence took place. Again, it is likely that this underestimates the number of cases where the accused was under the influence of drugs.

**Table 4: Alcohol and drug-related charges**

	2012-13		2013-14		2014-15	
	Number of charges	%	Number of charges	%	Number of charges	%
Alcohol	73	27	55	27	39	20
Drugs	4	1	4	2	6	3
<b>Total</b>	<b>75</b>	<b>29</b>	<b>59</b>	<b>29</b>	<b>45</b>	<b>23</b>

## ***Football affiliation of the accused***

The analysis included looking at the football affiliation<sup>5</sup> of the accused; these are shown in Table 5. This information was gathered from the police reports. The affiliation of the accused was noted by the police in all of the 193 charges reported.

The accused had an affiliation with Rangers in 58 (30%) charges, in 30 (16%) charges, Celtic 19 (10%) charges, and Hibernian in 16 (8%). The number and proportion of charges where an affiliation with Rangers was noted has remained largely the same (there were 59 Rangers affiliations in 2013-14 (29%)), however Aberdeen has increased (from 11 charges (5%) in 2013-14), and Hibernian has also increased (from 9 charges (4%) last year). The proportion of accused that had an affiliation with Celtic has decreased (2013-14: 44 (22%). These findings are influenced by an incident at the Dundee United v Aberdeen fixture on 13

<sup>5</sup> The affiliation may have been apparent from the accused being located in a 'home' or 'away' section of a football stadium – the accused admitting to their club affiliation, having a match ticket or item of clothing identified with their team (e.g. a scarf or replica football shirt) were means of identifying the accused's affiliation when an incident occurred somewhere other than a football ground.

December 2014 where the affiliation of the accused was noted to be Aberdeen in 24 of the 31 charges.

**Table 5: Football affiliation of the accused\***

Football affiliation	2012-13		2013-14		2014-15	
	Number of charges	%	Number of charges	%	Number of charges	%
Aberdeen	<5	-	11	5	30	16
Ayr United	6	2	0	-	8	4
Celtic	68	25	44	22	19	10
Dundee	12	5	5	2	<5	-
Dundee United	0	-	0	-	11	6
England	0	-	0	-	11	6
Falkirk	17	6	<5	-	<5	-
Hamilton	9	3	<5	-	11	6
Hearts	13	5	12	6	6	3
Hibernian	28	10	9	4	16	8
Motherwell	<5	-	5	2	7	4
Partick Thistle	<5	-	9	4	<5	-
Raith Rovers	<5	-	6	3	5	2.6
Rangers	85	32	59	29	58	30
Other	20	8	14	7	11	6
Unknown	10	4	10	5	0	-
<b>Total</b>	<b>268</b>	<b>100</b>	<b>203</b>	<b>100</b>	<b>193</b>	<b>100</b>

\* Those with charges <5 are included in 'other', therefore these are not included in the 'total' rows. 'Other' also includes football clubs not listed in the table (where there were fewer than five charges in 2012-13, 2013-14 and 2014-15).

## Details about the offence

### *Nature of the offence*

The Act criminalises behaviour that is hateful (section 1(2)(a)-(c)), threatening (section 1(2)(d)) or otherwise offensive to a reasonable person (section 1(2)(e) or otherwise offensive to a reasonable person (section 1(2)(e)) and is likely to incite public disorder.

It was not possible to determine from the COPFS database whether the charges were under section 1(2)(a), (b), (c), (d) or (e), and therefore the classification presented in Table 6 represents the researcher's understanding of the nature of the offence from the notes available in police reports. Offensive behaviour was classified as hate crime if there was a specific reference to religion, race<sup>6</sup>, sexual orientation or other forms of hatred. The offence was classified as threatening where the accused threatened another person/people; it involved the accused acting in a disorderly or aggressive manner, making threats or challenging others to fight, or where they engaged in fighting. The Lord Advocate's guideline on the Act specify that 'otherwise offensive' behaviour included behaviour that shows support of terrorist organisations or glorifies or celebrates events involving the loss of life or serious injury.

Table 6 provides information about the nature of the offence. In 2014-15, the behaviour was considered 'hateful' in 58 (30%) of the 193 charges. The most common form of hateful behaviour was religious hatred (26% of the total charges). The behaviour was considered to be 'threatening' in 118 (61%) of the total charges. Twenty-six (15%) of the 193 charges included 'otherwise offensive' behaviour supporting terrorist groups or celebrating loss of life.

Compared to 2013-14 and 2012-13, a lower proportion of charges in 2014-15 were categorised as 'hateful'. This change was associated with a lower proportion of religious hatred, and also a lower proportion of racial hatred. A higher proportion of charges included forms of threatening behaviour than in 2013-14 but was similar to 2012-13. A lower proportion of charges included behaviour that supported terrorist groups or celebrated the loss of life when compared to 2013-14 and 2012-13.

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<sup>6</sup> For the purposes of this analysis, hateful references to colour, race, nationality (including citizenship), and ethnic or national origins were included as racial hatred.

**Table 6: Nature of offence\* †**

Details of offensive behaviour	2012-13		2013-14		2014-15	
	Number of charges	% of total number of charges (268)	Number of charges	% of total charges (203)	Number of charges	% of total number of charges (193)
Hate crime	125	47	73	36	58	30
<i>Religion</i>	106	40	60	30	50	26
<i>Race</i>	19	7	17	8	8	4
<i>Sexual Orientation</i>	0	-	1	1	0	-
Threatening behaviour	119	44	99	49	118	61
Support of terrorist groups or celebrating the loss of life ('otherwise offensive')	46	17	57	28	26	13

\* Some charges contained reference to more than one category e.g. hateful and making threats, or hateful of which there was reference to religion and race, therefore these numbers do not add up to the total number of charges.

† For reasons noted above, the classification in this table is not necessarily matched up with the a-e classifications of section 1 of the Act.

Table 7 shows the different religious groups that were targeted in each of the religious hatred charges. In 2014-15, of the 50 charges that included religious offences there were 4 religious groups that were the subject of the charges. In the majority of cases, Catholicism was the main target of the offensive behaviour (84% of the total religious hatred charges).

**Table 7: Breakdown of religions that were targeted\***

Religion	2012-13		2013-14		2014-15	
	Number of charges	% of 106 charges	Number of charges	% of 60 charges	Number of charges	% of 50 charges
Catholicism	88	83	46	77	42	84
Protestantism	16	15	11	18	6	12
Judaism	2	2	3	5	1	2
Islam	-	-	2	3	1	2

\* In 2013-14 two charges were directed specifically at both Catholicism and Protestantism, therefore number of charges does not add up to 60.

### ***Method of abuse***

Table 8 outlines the method of abuse used within each charge. These refer to the method in which the abuse or offensiveness was conveyed. The category of 'generally offensive' refers to behaviour used by the accused that could not be categorised as singing, speech, banner, or gesture, and in any charges which involved the accused acting in a disorderly or aggressive manner, challenging others to a fight or physically engaging in fighting<sup>7</sup>.

As in 2013-14 and 2012-13, the most common method of abuse in 2014-15 were generally offensive (present in 55% of charges), singing (present in 27% of charges) and speech (present in 13% of charges).

<sup>7</sup> An updated method of classification was used in 2013-14: gesturing people to fight was categorised as 'generally offensive' rather than 'gesture' as it was more closely aligned with other charges that were classified as generally offensive. Therefore the generally offensive and gesture categories noted in the 2013-14 and 2014-15 are not directly comparable with 2012-13.

**Table 8: Method of abuse used\***

Method	2012-13		2013-14		2014-15	
	Number of charges	% of total charges (268)	Number of charges	% of total charges (203)	Number of charges	% of total charges 193
Banner	9	3	2	1	1	0.5
Gesture	48	18	6	3	9	5
Speech	137	51	72	35	26	13
Singing	112	42	75	37	53	27
Generally Offensive	82	31	79	39	107	55

\* Some charges contained reference to more than one category.

### ***Location of charges***

Table 9 shows the local authority area where the charges occurred. The local authority area with the highest proportion of charges was Glasgow (24% of all charges reported). This is likely a reflection of the fact that Glasgow has the three largest football stadiums in Scotland. Other areas of note where charges took place were Dundee (17%), Edinburgh (16%), and South Lanarkshire (9%). The increase in charges in Dundee in 2014-15 was in relation to one game (Dundee United v Aberdeen on the 13<sup>th</sup> December 2014) when there were 31 charges. The increase in charges in South Lanarkshire was also in relation to one game (Hamilton v Motherwell on 24<sup>th</sup> September 2014) when there were 14 charges.

In terms of the number of charges per 100,000 of the population, Dundee City has the highest rate of charges (21 per 100k people), followed by Glasgow City (8 charges per 100k people) and East Ayrshire (8 charges per 100k people).



**Table 9: Local authority area where charges occurred\***

Local Authority Area	2012-13			2013-14			2014-15		
	Number of charges	%	Charges per 100k pop.	Number of charges	%	Charges per 100k pop.	Number of charges	%	Charges per 100k pop.
Aberdeen City	0	-	-	7	3	3	6	3	3
Aberdeenshire	12	4	5	2	1	1	0	-	-
Angus	5	2	5	2	1	2	0	-	-
D & Galloway	6	2	4	3	1	2	3	2	2
Dundee City	14	5	10	4	2	3	32	17	21
E. Ayrshire	0	-	-	7	3	6	10	5	8
E. Lothian	1	0.4	1	1	1	1	0	-	-
Edinburgh City	24	9	5	24	12	5	30	16	6
Falkirk	12	4	8	13	6	8	3	2	2
Fife	7	3	2	1	1	<1	23	12	6
Glasgow City	113	42	19	72	35	12	46	24	8
Highland	8	3	4	4	2	2	7	4	3
Moray	7	3	8	0	-	-	0	-	-
N. Ayrshire	1	0.4	1	0	-	-	0	-	-
N. Lanarkshire	9	3	3	43	21	13	0	-	-
Perth & K'ross	6	2	4	1	1	1	3	2	2
Renfrewshire	13	5	8	5	2	3	0	-	-
S. Ayrshire	2	1	2	3	1	3	0	-	-
S. Lanarkshire	23	9	7	7	3	2	17	9	5
Stirling	0	-	-	0	-	-	1	1	1
W Dun'shire	0	-	-	0	-	-	1	1	1
W. Lothian	0	-	-	2	1	1	11	6	6
Non- Scotland	5	2	-	2	1	-	0	-	-
<b>Total</b>	<b>268</b>	<b>100</b>	<b>5</b>	<b>203</b>	<b>100</b>	<b>4</b>	<b>193</b>	<b>100</b>	<b>4</b>

\* Scottish Local Authority area population rate for 2014-15 is based on GROS mid-year population rates 2014, rounded to the nearest 1. Available at <http://www.nrscotland.gov.uk/files/statistics/population-estimates/midyear-2014/14mid-year-pe-cahb-publication-correction.pdf>.

## **Locus of charges**

As in both 2012-13 and 2013-14, the majority of the charges (46%) occurred at a football stadium. However, the number and proportion of charges at football stadiums decreased from 165 (62%) in 2012-13 and 109 (54%) in 2013-14 to 89 (46%) in 2014-15. A higher proportion (8%) of charges took place in a pub or club in 2014-15 than in 2012-13 (3%) and in 2013-14 (4%).

In 2014-15 there were more charges outside football stadiums (54%) than inside stadiums (46%). This is a change from 2013-14 when there were more charges inside stadiums (54%) than outside (46%).

**Table 10: Locus of charges**

Locus of offence	2012-13		2013-14		2014-15	
	Number of charges	%	Number of charges	%	Number of charges	%
Football stadium	165	62	109	54	89	46
Main Street	60	22	70	34	71	37
Public transport	24	9	9	4	10	5
Residential area	8	3	6	3	5	3
Pub or club	8	3	8	4	15	8
Police station	-	-	1	1	0	-
Other	3	1	-	-	3	2
<b>Total</b>	<b>268</b>	<b>100</b>	<b>203</b>	<b>100</b>	<b>193</b>	<b>100</b>

Table 11 shows the number of charges at specific football stadiums. The football stadiums with the highest proportion of charges were Starks Park (13%), Almondvale (13%), New Douglas Park (10%) and Ibrox (9%). In the previous two years Celtic Park, the stadium with the largest capacity in Scotland, had the largest proportion of charges in (24% in 2012-13 and 21% in 2013-14). In 2014-15 this proportion has dropped to less than 5%.

This information relates only to the stadium where the incident took place and does not identify the club affiliations of the victims or the accused, or whether these were 'home' or 'away' supporters.

**Table 11: Charges from incidents at football stadiums\***

Football stadium	2012-13		2013-14		2014-15	
	Number of charges	%	Number of charges	%	Number of charges	%
Almondvale	<5	-	<5	-	11	13
Balmoor	6	4	<5	-	<5	-
Broadwood	6	4	<5	-	<5	-
Celtic Park	40	24	23	21	<5	-
Easter Road	<5	-	8	7	5	6
Excelsior	<5	-	12	11	<5	-
Firhill	<5	-	12	11	<5	-
Glebe Park	5	3	<5	-	<5	-
Hampden Park	14	9	<5	--	5	6
Ibrox	33	20	17	16	8	9
McDiarmid Park	6	4	<5	-	<5	-
New Douglas Park	<5	-	<5	-	9	10
Pittodrie	<5	-	<5	-	6	7
Starks Park	<5	-	<5	-	12	13
Tannadice Park	10	6	9	8	<5	-
Tynecastle	10	6	9	8	7	8
Other	24	15	28	26	26	29
<b>Total</b>	<b>165</b>	<b>100</b>	<b>109</b>	<b>100</b>	<b>89</b>	<b>100</b>

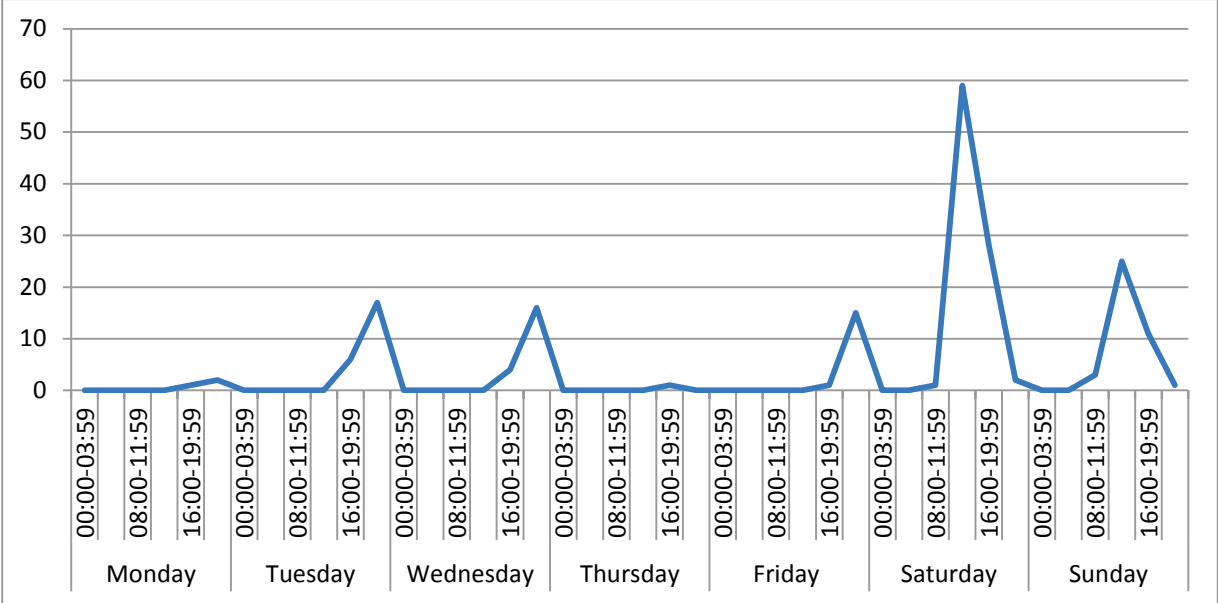
\* Those football stadiums with charges <5 are included in 'other', therefore are not included in the total rows as well. 'Other' also indicates stadiums not listed in the table (where there were fewer than five charges).

### **Timing of charges**

Chart 1 illustrates the peak days of the week and times of day when the offences took place. Charges peaked every evening during the week but peaked in mid/late afternoon during Saturday and Sunday. As with 2012-13 and 2013-14, the majority of charges occurred on the weekend. This is largely consistent with the times of when the majority of football fixtures take place. The two 'spikes' of charges on the Tuesday and Wednesday can largely be attributed to the international friendly Scotland v England, Tuesday 18 November 2014 (13

charges), and the Motherwell v Hamilton fixture, Wednesday 24 September 2014 (14 charges).

**Chart 1: Time and day of the offence**



**Football fixtures**

Table 12 shows the breakdown of the football fixtures where there were charges made. Within the period of this analysis there were charges connected to 54 fixtures<sup>8</sup>, of these 50 were domestic fixtures, 3 were European competitions, and 1 was an international match.

The fixture with the highest number of charges was Dundee United v Aberdeen on the 13<sup>th</sup> of December 2014, where there was a large incident outside the football stadium. These charges accounted for 16% of the total number of charges for the year and were all related to aggressive behaviour.

The number of police charges issued at any given fixture may not represent the amount of offensive behaviour at or around a match, and may also be a reflection of the decisions the police have made regarding when and where to deploy their officers and their enforcement strategies.

<sup>8</sup> The period of analysis is 01/04/14 to 30/03/15. Five offences took place prior to this period and is included because it was reported within the period of analysis (and were therefore not captured in the 2013-14 report).

**Table 12: Football fixtures associated with charges**

Date	Fixture	Number of charges	%
01/02/15	Celtic v Rangers	11	6
13/12/14	Dundee United v Aberdeen	31	16
26/07/14	Dunfermline v Raith Rovers	5	3
24/09/14	Hamilton v Motherwell	14	7
25/05/14	Hibernian v Hamilton	6	3
26/08/14	Kilmarnock v Ayr United	8	4
04/10/14	Livingston v Rangers	10	5
12/09/14	Raith Rovers v Rangers	5	3
20/02/15	Raith Rovers v Rangers	6	3
18/11/14	Scotland v England	13	7
	Other*	84	44
	<b>Total</b>	<b>193</b>	<b>100</b>

\* Other refers to fixtures with fewer than five charges.

## Details about the victims

Information about the people targeted by offensive behaviour is not separately recorded in the police reports. For the purpose of this report the researcher made an assessment of who the main victims were, based on the police description of the incident. Victims were identified as the main target for the offensive behaviour. The victim could have been a specific member of the public, the police, a worker (including footballers), or the general 'community' (if, for example, someone was singing an offensive song that was not directed at any specific person but could have been offensive to passers-by, people in the vicinity, or opposing fans). Each charge may have included multiple victim 'types'.

Table 13 shows the different victim groups. In 2014-15, the community was at least one of the victim types in the majority (71%) of charges; this is an increase compared to 2013-14 (58%) and a decrease from 2012-13 (46%).

**Table 13: Victims of the offensive behaviour\***

Victim	2012-13		2013-14		2014-15	
	Number of charges	% of total 268 charges	Number of charges	% of total 203 charges	Number of charges	% of total 193 charges
Community	123	46	118	58	137	71
Member of the public	103	38	73	36	50	26
Police	35	13	24	12	21	11
Worker	29	11	14	7	23	12
Unidentified	2	1	0	0	0	0

\* The number of charges do not add up to the total number because some charges related to behaviour that targeted more than one victim type.

## Details of criminal proceedings

The COPFS publish an annual report on hate crime in Scotland. This provides more details on the outcomes of these charges and can be found at <http://www.copfs.gov.uk/publications/equality-and-diversity>.

Court proceedings were commenced in 168 (87%) of the 193 charges. The COPFS 'Hate Crime in Scotland in 2014-15' publication also provides details of charges that were concluded outside of court.

Many cases are on-going and information about final convictions will be presented in Scottish Government 'criminal proceedings' publications<sup>9</sup>. The COPFS case management database provides information about convictions for concluded charges. This is provisional information and subject to change as charges are dealt with in the system. It shows that of the 168 charges for which court proceedings had commenced, 42 had concluded and there were 38 convictions (90%) which is a higher proportion of convictions from concluded charges that was reported in the 2013-14 report (65% proportion of convictions). The figures are subject to particular uncertainty this year, due to the lower proportion of charges concluded compared to this time last year (25% compared to 41%).

Charges that conclude quickly may not be representative of all charges. They may have concluded quickly because they were the most straightforward cases

<sup>9</sup> See: <http://www.scotland.gov.uk/Topics/Statistics/Browse/Crime-Justice/PubCriminalProceedings>

or those where there was an early guilty plea. It is therefore possible that final conviction rates will be different from those quoted here.

The main court disposals for convictions for 2012-13, 2013-14 and 2014-15 are shown in Table 14. Although the numbers of charges have reduced since last year for most categories, there was a similar profile of disposals – including mostly monetary penalties (in 23 charges (61% of the total)). There was one custodial sentence, compared with 2 in 2013-14 and 2 in 2012-13.

**Table 14: Main court disposals**

Disposal	2012-13		2013-14		2014-15	
	Number of charges	%	Number of charges	%	Number of charges	%
Community penalty	11	18	5	12	5	13
Custody	2	3	2	5	1	3
Football banning order	5	8	7	16	4	11
Monetary penalty	38	61	27	63	23	61
Other	6	10	2	5	5	13
<b>Total</b>	<b>62</b>	<b>100</b>	<b>43</b>	<b>100</b>	<b>38</b>	<b>100</b>

Note: FBOs are given for other offences, therefore this table does not capture all of the FBOs in 2014-15.

**Section 6 of the Act: Threatening Communications**

The Act also introduced measures to address threats of serious harm and threats that incite hatred on religious grounds, not confined to football settings.

As with section 1, it was not always possible to determine from the COPFS database how the charges had been classified within these two categories. Therefore the classification presented here represents the researcher’s understanding of the nature of the offence from the notes available in COPFS.

In 2014-15 there were 5<sup>10</sup> section 6 charges reported to COPFS. In 2013-14 there were 11, and in 2012-13 there were 19.

<sup>10</sup> The total number of charges is taken from the most up-to-date information recorded on the COPFS case management system. This is a live system and the number of totals may vary from those previously published due to changes made during the course of investigation and prosecution of a case. The research conducted last year was based on the latest information at the time, and reported 9 in 2013-14.

One of the 5 charges in 2014-15 were football related; compared to 6 in 2013-14 and 8 in 2012-13.

Four of these threatening communications were likely to cause fear and alarm, and included threats of serious harm. One of these threatening communications included reference to a religion (Islam).

There was a specific victim of the offence in 3 of the 5 charges; 2 of these victims were workers and one was a member of the public.

Social media was the method of abuse in all of the 5 charges (including Twitter and SnapChat).

Of the 5 charges, court proceedings have commenced in 4 of the 5 charges. One is on-going and 1 was given a custodial sentence.





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