



## About YouthLink Scotland

YouthLink Scotland is the national agency for youth work. We are a membership organisation, representing over 100 regional and national youth organisations from both the voluntary and statutory sectors. We champion the role and value of youth work and represent the interests and aspirations of both the voluntary and statutory sector. Our vision is of a nation which values its young people and their contribution to society, where young people are supported to achieve their potential.

Scotland's youth work sector is as rich and diverse as the nation itself. Our sector has a workforce in excess of 75,000 – including over 70,000 adult volunteers. We reach in excess of 380,000 young people in youth work opportunities each week. Youth Work has three essential and definitive features:

- Young people choose to participate
- Youth work must build from where young people are
- Youth work recognises the young person and the youth worker as partners in a learning process

In addition to core services, YouthLink Scotland is involved in a number of national Scottish Government funded community safety related initiatives, these include:

- Delivery of CashBack for Communities Fund for Youth Work
- Delivery of No Knives Better Lives programme
- Delivery of Action on Sectarianism web portal
- Delivery of Looking Forward Not Back, anti-sectarianism action research

As the national agency for youth work, and in our role as an intermediary we have endeavoured to respond to this response in the best interests of the youth work sector, however the views contained within this response may not be held by each of our individual members.

## Action on Sectarianism

Action on Sectarianism<sup>1</sup> is a project hosted by YouthLink Scotland aiming to share the best resources, campaign and educational initiatives from across Scotland to effect a long term and lasting change in sectarian behaviour in Scotland. Action on Sectarianism also facilitates a network for those interested to virtually come together to share ideas and information about anti-sectarianism.

The approach of Action on Sectarianism is one which focuses on community-led action and education at all levels to combat sectarianism in Scotland.

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<sup>1</sup> <https://www.actiononsectarianism.info/home>

YouthLink Scotland also supported youth workers and young people to address sectarianism in their communities through the Looking Forward Not Back project which ended in March 2016. The project produced a final toolkit highlighting the contribution youth work and young people in Scotland make to tackling this issue.<sup>2</sup>

## Comments

YouthLink Scotland has taken a neutral stance on the proposal to repeal the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012. The following response outlines our preferred approach to tackling sectarianism, focusing on those behaviours surrounding football and within social media.

We would like to emphasise that from our experience and that of our members, sectarianism remains an issue within Scottish society and it should not be inferred from discussions of repealing legislation intended to combat sectarianism that sectarianism is no longer an issue. There needs to be continued accountability for perpetrating sectarian behaviour. We are also clear that football is one outlet for sectarian behaviour, not the cause of it and as such, any further work should address this. As a result of the Act there has been an increase in the data available about sectarian crime which has proved useful in targeting prevention work. YouthLink Scotland would be supportive of continued collection of data relating to sectarian crimes.

We have concerns about the demographic of people who have been prosecuted under the 2012 Act. We are particularly concerned that the percentage of those prosecuted under the Act aged 20 and under has risen since the implementation of the Act (36% in 2012-13; 46% in 2013-14; 37% in 2014-15; 46% in 2015-16<sup>3</sup>). Having a criminal record will impact a young person's attainment and employability prospects and indeed this is a key priority within the Scottish Government's Preventing Offending strategy to ensure that low level offending does not negatively affect opportunities for securing education, training or employment.<sup>4</sup>

These figures highlight the need for more work within formal and informal education sectors on anti-sectarianism work. Youth work contributes to addressing sectarianism by:

- Engaging young people in learning about sectarianism
- Empowering young people to understand and critically questions their own behaviours and attitudes and those of others
- Encouraging and supporting young people to apply what they learned and to act to address the impact sectarianism has on them and their communities<sup>5</sup>

Evidence from previous and ongoing YouthLink Scotland projects demonstrate youth work's contribution to tackling sectarianism. The Looking Forward Not Back project highlighted that

<sup>2</sup> Looking Forward Not Back Toolkit, <https://www.actiononsectarianism.info/library-main/activities/looking-forward-not-back-toolkit-year-2>

<sup>3</sup> Scottish Government, *Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 in 2015-16*, <http://www.gov.scot/Resource/0050/00501336.pdf>

<sup>4</sup> Scottish Government, *Preventing Offending: Getting it right for children and young people*, 2015, p. 15

<sup>5</sup> Looking Forward Not Back, *What contribution can youth work make to tackling sectarianism? The story of Looking Forward Not Back*, 2016, p.18, <https://www.actiononsectarianism.info/library-main/reports/looking-forward-not-back-report-2016>

through youth work, young people developed the confidence to challenge others on sectarian behaviours and also to question their own sectarian norms, attitudes and behaviours.<sup>6</sup> Youth work has also been recognised as an important contributor to the anti-sectarianism and hate crime agenda in Scotland by the Advisory Group on Tackling Sectarianism in Scotland<sup>7</sup> and the Independent Advisory Group on hate crime, prejudice and community cohesion.<sup>8</sup> Community-led and based projects are effective at preventing sectarianism and as such, YouthLink Scotland supports further resource support for the youth work sector to continue similar projects.

It is clear from the rising proportion of incidents where the accused had multiple charges<sup>9</sup> that more should be done in rehabilitation for those who are prosecuted. Youth work can play a positive role in the lives of young offenders. An example of a project providing a service to first time offenders is Sacro's STOP (Sacro Tackling Offending Prejudices) programme which assists those charged under the 2012 Act. This programme is under-utilised and requires further work to encourage referrals. HMYOI Polmont utilises youth work to engage with young people who might otherwise be excluded from education and/or disadvantaged in some way. Through youth work, young people in Polmont are able to explore issues of health and wellbeing, rights, and equality and diversity, as well as developing skills, knowledge and self-confidence.

The voluntary sector more generally plays a significant role in informal education and community-based engagement on sectarianism. The challenging funding situation facing the third sector means that many of the projects will struggle to continue to have the same impact. Any work arising from this consultation should recognise the need for funding sustainability across the sector.

From our experience, prevention work is effective when done in partnership with football clubs. Football fans are more receptive to messages coming directly from clubs. YouthLink Scotland would be strongly in favour of further partnership between anti-sectarianism projects and football clubs. Additionally, more responsibility should be placed on football clubs to carry out anti-sectarian work.

There are issues about where the legislation on sectarianism is held. YouthLink Scotland believes that sectarianism should be considered as an equalities issue. There needs to be further clarification on the relationship between racially motivated crimes and sectarianism. There should also be thought given to devolution as most hate crime is legislated against at Westminster.

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<sup>6</sup> Looking Forward Not Back, *What contribution can youth work make to tackling sectarianism? The story of Looking Forward Not Back*, 2016, p.52, <https://www.actiononsectarianism.info/library-main/reports/looking-forward-not-back-report-2016>

<sup>7</sup> Scottish Government, *Tackling Sectarianism and its Consequences in Scotland: Final Report of The Advisory Group on Tackling Sectarianism in Scotland – April 2015*, <http://www.gov.scot/Resource/0047/00477619.pdf>

<sup>8</sup> Scottish Government, *Report of the Independent Advisory Group on hate crime, prejudice and community cohesion September 2016*, p.21, <http://www.gov.scot/Resource/0050/00506074.pdf>

<sup>9</sup> Scottish Government, *Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 in 2015-16*, p. 10, <http://www.gov.scot/Resource/0050/00501336.pdf>

With regards to section 6 of the Act, YouthLink Scotland believes it could be used more effectively for social media, whilst also acknowledging the difficulty of policing social media. Only two charges under section 6 in 2015-16 used social media as the communication medium,<sup>10</sup> although it is clear that sectarian behaviour is much more prevalent on social media due to a level of perceived anonymity.

Legislation should cover sectarian and hate crime on social media more broadly with clearer definitions. Following this, social media conduct education should be further bolstered within education settings and social media companies should be required to make it clearer how to report hate crime.

### **Respondent Information**

This response is on behalf of YouthLink Scotland, a third sector organisation. I am content for this response to be attributed to me or my organisation.

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<sup>10</sup> Scottish Government, *Charges reported under the Offensive Behaviour at Football and Threatening Communications (Scotland) Act 2012 in 2015-16*, p. 28, <http://www.gov.scot/Resource/0050/00501336.pdf>