

## Written Evidence to the Constitution, Europe, External Affairs and Culture Committee on UEFA Championship (Scotland) Bill 2025

### 1. Summary of our key points

The Scottish Human Rights Commission (SHRC) is grateful to the Constitution, Europe, External Affairs and Culture Committee for providing us with the opportunity to provide written evidence on the elements of the Bill which are relevant to the mandate of the SHRC.

Having considered the Bill, we offer the following advice:

- The Committee should recommend that the Scottish Government should assess the potential impact of this Bill on human rights, in particular Articles 5, 8, 10 and 14 of the European Convention on Human Rights, and ensure any interference is necessary, proportionate and lawful. We suggest that process be put in place to ensure that Glasgow City Council monitor the human rights impacts of these measures and create appropriate channels for grievance.
- We would also recommend an accompanying statement confirming that Enforcement Officers enforcing the offences created by this legislation are bound to exercise their duties in a way which is compatible with human rights, in the same way that police are required to.
- Finally, we suggest that the Committee and the Scottish Government consider the broader opportunities in this Bill and elsewhere, to further embed a human-rights based approach to procurement into the commercial activities associated with this, and other mega sporting events.

### 2. Background: SHRC involvement in Mega Sporting Events

Major sporting events can have a significant impact on human rights. The United Nations Human Rights Council has adopted several resolutions recognising the relevance of human rights to major sporting events,<sup>1</sup> both as an opportunity to

promote human rights and challenge existing inequalities and to highlight risks to rights presented by major sporting events.

In 2013-2014, the Scottish Human Rights Commission (SHRC) played a pivotal role in the Glasgow 2014 Commonwealth Games, resulting in the first-ever human rights policy for such an event. This work positioned Scotland as a leader in integrating human rights into mega sporting events.

We advised the Organising Committee on policy development on issues such as forced evictions, labour rights, trafficking, procurement, policing, and legacy.

The Organising Committee was clear at the time that adopting a focus on human rights 'was the right thing to do: as a business, a buyer of goods and services, an employer, and as an organisation with significant reach and influence'.<sup>2</sup>

Since that time, the Commonwealth Forum of National Human Rights Institutions (CFNHRI) has established a [sports and human rights working group](#). In 2018, the CFNHRI adopted the [London Declaration on Sport and Human Rights](#), which sets out how NHRIs can protect human rights within sport.

### 3. Context

The provisions of the Bill are summarised as follows:

- **Ticket touting:** The Bill will prohibit the touting of a championship ticket. Touting includes the sale of a championship ticket for any value in excess of its face value. There is an exception for the auction of tickets to raise funds for a charity, and to protect those who advertise that a ticket is on sale by another individual where they did not know the seller intended to tout the ticket.
- **Street trading:** It is an offence to trade in an open place within an event zone during a prohibited time. This includes selling an article or a service, providing entertainment, or appealing for charitable donations. Schedule 2 includes an exemption for certain charitable collections. Existing street trading licences do not exempt the holder from committing a street trading offence in the event zones during prohibited times.
- **Advertising:** Like street trading, it will be an offence to advertise in an event zone during a prohibited time. An activity will be considered advertising if it

is a communication to the public for the purposes of promoting an item, service, business or other concern. Existing advertising licences do not grant an exemption to these restrictions.

- **Enforcement of offences:** Enforcement officers are defined as an employee of Glasgow City Council with sufficient experience to exercise the functions set out in the Bill, or an individual who Glasgow City Council designate as an enforcement officer. There are restrictions on who can be designated as an enforcement officer. Enforcement officers are given general enforcement powers, which means taking reasonable steps such as seizing, concealing or destroying something suspected to be an infringing article, or to enter and search a place (including a vehicle or vessel). This does not grant enforcement officers powers to search an individual, or access electronic data.
- **Other provisions:** including the penalties the offences can attract and the sunset clause. (if applicable)

### 3. The human rights at stake

Whilst none of the provisions in the Bill deal directly with human rights, there are areas where explicit consideration of how the provisions interact with human rights would be beneficial, to ensure that enforcement of the Bill does not infringe on enjoyment of rights.

The provisions may engage with the European Convention on Human Rights, which is protected domestically via the Human Rights Act 1998 as follows:

- Article 5 - the right to liberty and security of person
- Article 8 - the right to private and family life
- Article 10 - the right to freedom of expression
- Article 14 - the right to protection from discrimination

These rights can be limited in certain circumstances, but any limitation must balance the interests of an individual and of the community as a whole.

### 4. Our recommendations

In the context of the Bill therefore, we offer the following advice:

Section 12 to 16 of the Bill set out restrictions on advertising. These provisions place limits on communication between vendors and the public, and as such interfere with Article 10 rights to freedom of expression. The Scottish Government should conduct legal analysis to ensure this interference is necessary and proportionate.

Section 18 sets out that "an enforcement officer may take reasonable steps to prevent or end the commission of an offence under this Bill, or in connection with proceedings or anticipated proceedings in respect of an offence. Reasonable steps can include seizing, concealing or destroying anything that the enforcement officer believes is an offending article." This does not explicitly confer power to stop-and-search individuals to determine whether a person has an 'offending article'; however, the Bill does not set out limitations on how enforcement officers should reasonably determine a suspicion that an offence will be committed, or set out any on searching or the use of force in exercising these powers. It is important that this power is exercised in a way which is compatible with Article 5 (the right to liberty and security of person); Article 8 (respect for privacy), and Article 14, non-discrimination. This means that use of the power must be legal, proportionate, and non-discriminatory.

This Bill gives powers to 'enforcement officers', who are not police officers. It should be made clear that nevertheless, those enforcing offences under this legislation are bound by the same legal obligation under the Human Rights Act 1998 to respect human rights by carrying out their duties.

We would also recommend consideration of a requirement for Glasgow City Council to monitor and report on the human rights impacts of the measures in this Bill, and to provide channels for grievances.

More broadly, this legislation provides an opportunity to embed human rights principles into commercial practices. We recommend that the Committee considers opportunities to further embed the approach set out in Chapter 14 of the Scottish Government's [Scottish Procurement Policy Handbook](#) (Human Rights). This could be considered either through this Bill or other work undertaken in the organisation of the UEFA Championship, and could include for example further requirements for parties to monitor and report on their compliance with these principles.

## 5. For further information

Please contact Jenni Cannon, Head of Legal and Policy, at [jennifer.cannon@scottishhumanrights.com](mailto:jennifer.cannon@scottishhumanrights.com)

<sup>1</sup> For example see:

- Resolution 34/18: Promotion Human Rights through Sport and the Olympic Ideal: <https://docs.un.org/en/A/HRC/RES/43/18>
- Resolution 54/25: A world of sports free from racism, racial discrimination, xenophobia and related intolerance <https://docs.un.org/en/A/HRC/RES/54/25>

<sup>2</sup> Scotland Human Rights Commission statement to the UN Human Rights Council: 'Panel on the use of sport and the Olympic ideal to promote human rights for all/ HRC res.31/23', June 2016, available at: [shrc\\_statement\\_sport\\_human\\_rights\\_unhrc\\_jun16.doc](#)