1. Do you agree with the proposal in the Bill to repeal the 2012 Act? What are your reasons for coming to this view?

No, I do not agree that this bill should be repealed or that it should even be a priority.

2. Did you support the original legislation?

Yes, sectarian abuse and violence should not be protected by the state, it should be prosecuted with the full force of the law.

3. Do you consider that other existing provisions of criminal law are sufficient to prosecute offensive behaviour related to football which leads to public disorder? If so, could you specify the criminal law provisions? Or does repeal of section 1 risk creating a gap in the criminal law?

There is nothing in the existing provisions which cover public order offenses which extend to the signing of offensive, religious bigoted songs and waving banners and flags covered with sectarian abuse. The environment without this legislation is not family friendly and truly is Scotland’s shame.

4. Do you have a view on the focus of section 1 of the 2012 Act, which criminalises behaviour surrounding watching, attending or travelling to or from football matches, which may not be criminalised in other settings?

The legislation should have power wherever sectarian and religious abuse can/does surface.

5. Do you consider that other existing provisions of criminal law are sufficient to prosecute threats made with the intent of causing a person or persons fear or alarm or inciting religious hatred? If so, could you specify the criminal law provisions? Or does repeal of section 6 risk creating a gap in the criminal law?

Yes, and no. Yes existing criminal law, under public order provisions covers generic threats but not specifically sectarian and football related threats or violence. What type of message are we sending if we row back from current legislation? What example are we setting children – that’s it ok to chant and sing abusive and hate filled songs at fellow citizens?

6. Do you have a view on the proposed transitional arrangements in the Bill: that there should be no further convictions for section 1 and 6 offences from the date on which the repeal of those offences takes effect; and that
the police will cease issuing fixed penalty notices at least from the point at which the Bill is passed?

As I disagree with the repealing of the act in the first instance this is a moot point.

7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?

Making the football environment hostile to sectarian and other religiously motivated hatred is a good thing and the act has made this possible. We must tackle this behaviour.

Craig Hunter
3 July 2017