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 – it looks like cheap political electioneering.

2. Did you support the original legislation?

Yes – there is a serious problem of sectarianism in Scottish football, which is prevalent in a small number of teams which have a significant degree of support.

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?

I think this is open to debate. However a specific piece of legislation focused on this type of behaviour will help concentrate the minds of the management of the football clubs involved, and those likely to display offensive behaviour.

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?

Yes – there is a specific problem around behaviour in the large crowds that attend football matches, where there is often a ‘culture’ of offensive actions.

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?

Again, open to debate. The Act is about targeting venues and activities where it is clearly known and understood that there is a ‘culture’ of offensive actions. It helps to send a clear message that this should not be tolerated.

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?

Yes – this is a completely unnecessary provision. In any case, I sincerely hope that parliament sees sense and does not repeal the Act.
7. To what extent do you consider that the 2012 Act has assisted in tackling sectarianism?

Undoubtedly it has – however, this is a long term process addressing a problem that has been tolerated for far too long in Scottish society (and which, I'm afraid, is seen as 'harmless' by some MSPs).

Alastair Thomson
5 July 2017