

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM SM McCOURT

Dear Sirs/Mesdames

I think it is crazy to create more and more new criminal offences and aggravations of existing offences. There already are plenty of opportunities to prosecute grossly insulting remarks.

For several years I worked as a reporter, specialising in crime stories from Glasgow and nearby Sheriff Courts. Often I would hear of an accused charged with behaviour aggravated by multiple factors: racism, sectarianism and perhaps prejudice against disabled people too.

Basically the accused had lost his temper, probably while under the influence of booze or more modern mind-altering substances. If found guilty he or she deserved some punishment for disruptive behaviour, but the exact details of the angry rant were irrelevant.

If I were subjected to a tirade describing me as an "auld scotch who-er" the references to my age, my place of birth, plus slurs on my sex life would not matter to me. I would resent threatening/abusive behaviour. I would be alarmed if the person bad-mouthing me looked likely to land a blow. I would be a lot more alarmed if I thought that person was likely to repeat his/her outburst on a regular basis. But the details of the tirade would be immaterial.

Drafting more and more detailed legislation is not going to make Scotland a safer or more tolerant place to live. What it will do is stifle free speech.

Yours faithfully

SM McCourt
18 JULY 2020