

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM MARGARET ROWBORY

To whom it may concern,

I am thankful that I am free to offer my heartfelt thoughts concerning this proposed bill. I am grateful that our nation encourages freedom of speech, freedom of belief, freedom of religion, freedom of debate, whether it be in the public domain, or in private. Such freedoms have been acquired and valued by our Parliamentary Leaders. Other countries may envy such freedom. World War 2 was fought, with great human loss, to defend such freedoms from the threat of the oppression of any dictatorial state.

It is with a great deal of trepidation and sadness that I view the contents of this proposed bill, as it seems to threaten such greatly sought after and fought for freedoms. I wonder what the consequences may be of surrendering such freedoms with a Bill that appears to be far more extreme than any in the rest of the UK. Lord Bracadale, in his Independent Review of it, expressed a cautionary note. He was concerned for the protection of freedom of expression relating to such matters as religion, sexual orientation, and transgender identity. He was concerned that "genuine and legitimate criticism could be construed as stirring up hatred" and that such legislation could have a devastating effect on our freedom of speech. Such freedom of speech "protects expression which shocks, offends and disturbs other people". Lord Bracadale recommended that this Bill include protection for freedom of speech in all areas of day to day life.

A key issue in this proposed bill relates to the definition of what exactly is meant by the term 'hate'? Hate is a subjective attitude so any observation offered in reasoned debate can so easily be mistakenly interpreted as expressing hate and deemed to be a 'hate crime', even when there is no hate intended.

There are certain groups who may be far too quick to find offence when someone disagrees with them. The intent of speech or action may be misinterpreted. Where is the appropriation of reasoned debate within a respectful atmosphere?

Lord Bracadale suggested that we could so easily lose the benefit and value of genuine and legitimate criticism. I believe, very strongly, that we do not want to live in a society ruled by fear of being reported for speech or action deemed to constitute 'hate crime'. Too many countries live under such oppressive regimes. We highly prize the freedom to be an inclusive, respectful society, not afraid to have different opinions that should be encouraged to inform and shape our characters in a beneficial way.

Let us maintain a society of tolerance and freedom of expression that can encourage a broadening of our understanding and acceptance of our rich diversity, and encourage peaceful dialogue and harmony.

Margaret Rowbory
18 July 2020