

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM MARGARET TEES

I write to share my thoughts and worries on changes to the 'hate' bill proposed by the government. I understand and agree with the need to gather together different strands of anti discrimination and anti hate legislation into one law, but this is a complex area which needs careful consideration and I feel that some of the current proposals need attention.

I agree that age, disability, religion and sexual orientation should be added, but also as parts of Scotland have particular problems with sectarianism that it should be looked at with a view to inclusion, although I worry that vested interests may obstruct this. As a lifelong disabled person I know a little bit about discrimination, and feel that such laws are easily circumvented (for instance, employment can be denied for reasons other than those covered by the law) and that the best form of anti discrimination is provided by education and the integration of all minority groups in society.

I don't quite understand why the acceptance and protection of trans people receives such a large amount of attention in the proposed legislation, although I do realise this is a currently fashionable 'cause' driven by a tiny but vociferous minority. Gay men and lesbians are now an accepted and normal part of society and I'm sure it will be the same for trans people in the future; I see no reason why they cannot be accommodated quite reasonably under the sexual orientation umbrella. We must be careful that in our haste to be the most tolerant, liberal and forward thinking country that we don't trash the hard won rights of women, misogyny takes many forms.

I am also concerned that further categories can be added to the bill after it is passed... this is surely a dangerous precedent and an invitation for possibly unscrupulous governments to push through unpopular measures without scrutiny. The part that worries me most however is the 'incitement to hate speech'. I think we all know that there are some people to whom even mild disagreement is construed as hate speech. It means that we might be unable to express our opinion in print, on line, or face to face for the fear of being accused of incitement to hate. This will impact on journalists and folk who make or repeat any kind of political or social comment. A lot of commentators have a rather flowery turn of phrase and would be open to prosecution if someone chooses to take offence. In a grown up society we should be able to express our views forcibly (but not abusively) without fear. Actual threats of violence are of course to be prosecuted as they are at the moment. This part of the proposed bill is a danger to free speech which has always been a key part of our country.

In the past I would have been confident that both Police Scotland and the judiciary would apply these laws flexibly and with common sense, however due to recent events I feel they would be a very handy tool with which to undermine and silence those who disagree with establishment views, that is not the sort of country I wish to live in.

I write as a concerned Scot who wishes the tolerant values of our people protected but without new laws impinging on our freedoms. Historically as a country, we are known for our outspoken and colourful language.... let's not abolish that by ill thought out legislation.

Margaret Tees

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