

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM DR ANGELA DIXON

Scottish Hate Crime Bill 2020

1. No I do not think that there is a need for this bill. The response to the previous consultation on this bill showed that most individuals agree with this view and I am disappointed the Scottish Government has discounted these views. I accept many organisations supported these views but many of these organisations had an interest in trying to get people attacking them higher sentences. If there was an organisation representing red headed middle aged women I'd maybe join it and say that people being mean to us should face stiffer penalties. On a serious note people are people and I think the identity politics of hate crime emphasises our differences not our similarities and is likely to lead to more hate and distrust not less.
2. It makes sense for all hate crimes to be in one place but only so they can then be deleted.
3. I don't think hate crimes should be prosecuted in Scotland. Inciting violence and threatening violence should be crimes but all people should be equal before the law and threatening violence against one person should not get a higher punishment than threatening violence against another.
4. No, a new statutory aggravation on age hostility should not be added and much as I hate the name calling that older people can get on social media "Boomer" "Gammon"; I don't think it is a matter for the police. The same laws should apply to adults of all ages where criminal offenses are concerned, although I accept there is some evidence that the brain doesn't fully mature until your mid 20s so perhaps 16-25 year olds should be dealt with differently but that isn't a "hate crime" problem.
5. No, I hate sectarianism but the law should be able to tackle someone threatening violence against someone of a different branch of religion in the same way that it tackles threats of violence against someone of the same religion. Religion is just an excuse in sectarian violence and it is usually male tribal/ gang warfare using religion as a cover.
6. I strongly oppose the offence of stirring up hatred. I am concerned the police will spend time examining drunken late night social media posts that pose no real threat to anyone rather than dealing with people who are committing actual crimes or who are at a high risk of committing actual crimes. I am also

concerned that the person with the protected characteristic could be just as unpleasant to the person without a protected characteristic but not be committing an offence under this part of the act. This seems unfair and unequal.

I am concerned that feminist organisations like ForWomenScot and Woman's Place UK will be accused of stirring up hatred for expressing the view that cross dressing men are not actually women and shouldn't be in women's changing rooms, or that human beings like most mammals are divided in to 2 sexes and you aren't a mythical third sex just because you don't like the sexual stereotypes commonly ascribed to your sex. Non feminine women are still women. Non binary identities are nonsense. People should be free to call themselves non binary if they wish but the law should not recognise them as a 3rd sex because it is scientific nonsense. You still belong to the sex that produces large or small gametes. Disliking sexual stereotypes doesn't alter that. These organisations and beliefs have been called "hate speech" by several people in the Scottish Green Party, Labour Party and the SNP. People should not go around being abusive to each other but all people should have the same cut off point for when being abusive merits legal sanctions and prosecution.

If the Hate Crime law goes ahead then people stirring up hatred should have to be threatening, and by that I mean threatening physical violence or physical harm. The legal threshold for prosecuting hate crimes should be high to ensure the police don't spend all their time dealing with Twitter spats and hurt feelings. People are still getting killed, physically assaulted, raped and burgled. Terrorism is still a threat. The police need to be encouraged to concentrate on serious crime not lots of minor crimes where no-one is likely to get physically harmed.

I think that Part 2 should be removed from the bill.

7. Insulting should be removed. The law should not get involved in playground type insults. Some people are socially inept with poor impulse control (such as people with personality disorders or people under the influence of drugs or alcohol). These people are more likely to be accused of insulting behaviour. Having a mental illness or personality disorder is not a protected characteristic. Whether or not you feel insulted by a particular comment is also very subjective. I can see a small number of supposedly easily insulted or offended people complaining about a lot of hate crimes which may or may not have involved them, and people going through social media posts to find posts they can be offended by to try and get people whose views they disagree with prosecuted. Do we really want a society where the people who claim to be most easily insulted win all the legal cases against people with thicker skins or who are less prone to exaggerate how offended and insulted they are?

8. Freedom of expression should cover people expressing their opinion if they are not threatening to physically harm someone and where that opinion is considered acceptable by a section of the population. I think that this proposed law poses a serious threat to freedom of expression.
9. I don't understand this question.
10. Yes, this is the only part of this bill I do agree with.
11. If there is to be a Hate Crime Bill (which I oppose) then sex should also be protected. It seems illogical to just cover some of the protected characteristics of the Equality Act and to exclude the characteristic that affects the most people. I disagree with adding misogyny at some future point. Add it now. I don't understand why government funded "feminist" organisations like Engender want it added at a future point, apart from the fact that to get government funding you have to accept that any male who says they are a woman is a woman so these organisations which often have males on their committees maybe dislike the concept of "sex" as a category and want it replaced by the more nebulous stereotyping nonsense of "gender identity".
12. The Bill should refer to the "opposite sex" not a "different sex". Apart from a very small number of people with disorders of sexual development (DSD) we are either male or female. Most people with DSD are also unambiguously male or female e.g. Turner's Syndrome, Klinefelter's syndrome. Lobby groups like Stonewall are pushing a non-scientific "sex and gender are a spectrum" ideology. The law should refuse to recognise this unscientific nonsense. People are entitled to their religious beliefs but I do regard gender ideology as a religious belief. It should not be taught in schools and it should not be inscribed in law.
13. The bill should clarify what is meant by Transgender Identity without resorting to circular definitions. Men who just enjoy dressing in women's clothes some of the time should not be regarded as having a transgender identity. Men who are on no hormones and have had no genital surgery should not be regarded as having a transgender identity. Woman is not a costume. I think the current GRA where someone has to live in women's clothes for 2 years and be diagnosed as having gender dysphoria by 2 doctors and have therapy sets the bar high but it should be high to ensure women aren't abused by predatory males who enjoy dressing in women's clothing in prisons and refuges. It is important that the same definition of Transgender Identity exists over all acts in Scots law. Being "non binary" just means that you don't like sexual stereotypes, which is fine, I don't either, but that is a reflection of your likes and dislikes and personality, not a transgender identity.

Dr Angela Dixon
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