

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM LIZZIE FLEMING

Dear Committee member,

I am concerned about the proposed Hate crime and order bill because I have concerns about freedom of expression, particularly within the Arts. Section Three pertains to this.

I understand there is a lot of debate these days about this and it is easy to see it falling into two camps as so much is polarised today. One camp suggests freedom of speech is not the freedom to be hateful while the other talks about freedom of speech in all cases and can be accused of right wing bigotry. However, like all things these days, it's not as simple as this.

Your bill is attempting to do the impossible - create guidelines and laws around the use of words, language. This is highly dangerous because there are so many fine lines, so much nuance and so many contradictory ways to express things. Interpretation is often an individual process, especially within the Arts. Hate for one will not be hate for another.

Most people in the country obviously do not support hate speech as most of us think of it and as is covered with current laws. But many of these people will be very concerned by the implications of this bill. The uncertainty. Artists will feel restricted, many will question their words even when they have no intention to spread hate.

I wonder if the Scottish government is creating this bill to appease a minority of people who think they have the right to be offended at the expense of the majority who simply want to live their lives without fear of suppressed speech. Because ultimately, most people do not engage in hate. Those who do will always find ways and those who see hatred in everything will undoubtedly still do so but will have this bill to enable litigious vexation.

Please reconsider. I think current laws are clear enough. Please beware unintended consequences.

Yours sincerely,
Lizzie Fleming

Lizzie Fleming
21 July 2020