

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM MICHAEL GREEN

Dear Sir/ Madam,

I am writing in response to the [call for views](#) in relation to the above Bill, specifically in relation to question 6 of the call:

6. Do you have views on the merits of Part 2 of the Bill and the plans to introduce a new offence of stirring up of hatred?

I would like to express my sincere and grave concern with the proposed introduction of the proposed new offence of stirring up hatred.

As far as I understand the Bill, I perceive that the proposed new offence, if made law, would have a chilling effect on freedom of speech in Scotland.

I can understand why the bill has been conceived to protect vulnerable members of our community from those whom seek to deliberately stirring-up hatred but, unfortunately, in its current draft the bill does no such thing. Instead of delivering a positive step in Scotland's transition to an increasingly liberal, progressive and inclusive democracy, the bill, in its current form, would actually constitute a severe regression to an ultra-conservative nanny-state in which our thoughts are policed by the politically-correct orthodoxy of the day, and if an individual's opinions are found to deviate in any way from that orthodoxy – they could be labelled as a criminal, guilty of stirring up hatred and punishable with the full force of the law, simply for disagreeing. It's represents a truly chilling threat to the freedom of speech that this liberal democracy has exemplified to the free world for generations.

My concerns with the new offence are manifold but several of key points are listed below.

1. The bill does not reflect the recommendations of Lord Bracadales independent review, which stressed the need for a clear distinction between legitime debate and rabble-rousing.
2. There is a risk that the Bill might be used efariously as a weapon by those wishing to label disagreement with their views as a hate crime
3. Even if I am wrong and the bill does not cry this risk, the mere perception by the public that it might carry that risk would be enough to significantly stifle debate and free speech in this country, which would amount to the same effect – fear.

Please don't make the proposed new offence law – not in its current state. It would be a disaster.

Thank you for allowing me to freely express my view without fear.

Yours faithfully,
Michael Green

Michael Green
20 July 2020