

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM BRIAN LOCH

Concerning the proposed "Hate Crime and Public Order (Scotland) Bill.

I do not consider myself a political activist by any means, but having browsed through this proposal, it has raised alarm bells for me at the thought of this becoming Law in Scotland, where we are supposed to be a free and liberal society.

My main concern is that; if this bill is enacted it could easily be manipulated by anyone who has a grudge against someone else who merely holds a different opinion from themselves who despite what they might think, that person has no intention of causing them harm, but counter wise intends to enrich them.

My understanding of a democratic society is that debate and differing opinions are healthy for a society as they help it develop and grow; therefore challenges to the collective thinking are good when done in a constructive and proper manner.

I believe that positive orderly public debate should be encouraged and not be stifled by the fear that the police might be called because someone might be offended at what is said. I would point out that most of the time; the hearer has a choice of whether to stay in earshot or not in the first place at such encounters.

I have to say that in my time I have heard things that have offended me at the first instance, but on reflection I took it on board and it made me a better man.

My point is - that ideas are not set in stone and that people evolve over the years anyway and this is precisely the reason why competing and compelling views should not be stifled, but rather encouraged for ideas that might not resonate at the beginning might make a difference further down the line.

An example would be for someone quoting what the Bible says at a public meeting, with the intention of presenting 'a truth' for the listener to either accept or reject.

I would argue (if I can at present), that the speaker would not be put in a position of being accused of a "Hate Speech" offence, because the hearer is free to listen or to ignore what is said. Likewise, there is a general understanding that some theatre plays, as are also some TV soap operas; that their content is intended to challenge contemporary thinking to see if there is an alternative way forward.

Another example; personally I have never read a Bill like this right through before, but I am making an attempt to understand it. Likewise; when someone stands up and says something that I have never heard of before, I see this as an opportunity to enlighten myself and grow.

However, I fear that this Bill as 'Law' has the potential of denying people their rights to hearing another's point of view, even if it is uncomfortable to hear.

Furthermore, *disagreement* is not the same as *hatred*. Disagreements made in a spirit of debate have served this country well, as we have found our way politically, economically, educationally and spiritually.

Another concern I have is that of *the process enacted to determine innocence or guilt* would also prove to be a burden on innocent free thinkers falling foul of this Bill. This is because an accusation taken forward might have an adverse impact on the accused's employment, family life and their mental health; also the unnecessary time wasting loaded upon the legal system; all for what might have been on the so-called offender's part, 'a chance comment'.

I believe that we already have laws in place to safeguard the public who hold to alternative norms, but I believe that this Bill will overstep the role of a democratic elected government having the potential to be worthy of the Orwellian "Thought Crimes" category. This would be, in my humble opinion for the Scottish Electorate, a dangerous and irresponsible path of destructive social engineering to follow.

Finally, this Bill could be used to impose a 'predetermined morality' that is at odds with a significant demographic of the population; both religious and non-religious, and again the government would be overstepping its function in making judgements on how Scottish people should sit morally.

I wait with great interest to discover the outcome of this Bill, in the hope that after sensible deliberation it is scrapped.

Brian Loch
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