

**JUSTICE COMMITTEE**

**HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL**

**SUBMISSION FROM ROBERT KINGDON**

I wish to comment on Section 6 - Stirring up offences.

The bill, as drafted, seems to go much further than the intention of the would-be accused to stir up hatred. Most of the newly covered characteristics are covert, unlike race, which is generally overt. The chances of speech, deemed to be abusive, but spoken such unintentionally, being prosecuted, would become a real possibility. This would severely curtail freedom of speech, to the detriment of our way of life.

Who is to determine what is "abusive"? Is the complainant to be the judge? Can the courts decide in any sort of a consistent way?

I suggest that either the proposed offences be much more objectively defined, or that rigorous freedom of speech clauses be added to the bill.

Yours faithfully,

Robert Kingdon  
22 July 2020