

**JUSTICE COMMITTEE**

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

**SUBMISSION FROM ALISON ROSS**

I wish the following comments in respect of this Bill to be considered:-

Current legislation already covers abusive or threatening behaviour which is likely to cause fear or alarm. One questions whether further legislation is needed.

Free speech is something which is valued in any democratic society and a balance needs to be struck between this on the one hand and that which causes fear or alarm. Police Scotland has highlighted the importance of free speech clauses to prevent it being inundated with vexatious reports.

I question the terms hatred and abusive in this Bill. How are these terms, which are subjective, to be upheld in law?

Robust debate needs to be protected especially in relation to areas such as religious belief or sexual orientation where views can be diametrically opposed.

Stirring up hatred should only cover conduct that is intended to stir up hatred. Stirring up hatred that is not deliberate should be excluded. Threat of prosecution may mean that people feel constrained and that healthy debate is quashed.

Thank you for your consideration of these issues.

Alison Ross

21 July 2020