

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM ROBERT BAIRD

I wish to lodge opposition to the Scottish Government's proposed Hate Crime Bill on the following grounds:-

The new stirring up hatred offences could be unwittingly committed by someone who did not realise their words could be considered abusive or offensive.

Existing Criminal Law already covers threatening or abusive behaviour likely to cause fear or alarm. No new law is needed.

A stirring up hatred offence could be committed in a private conversation in a person's own home.

Any new stirring up hatred offences should only cover conduct that is intended to stir up hatred. It would be very serious to accuse someone of stirring up hatred when they did not realise they were doing this and not deliberately.

Police Scotland has said that free speech clauses are important to prevent it being inundated with vexatious accusations.

I would be glad if these observations could be taken into consideration in your deliberations on the proposed Bill.

Robert Baird
22 July 2020