

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM COLIN KIRKWOOD

I refer to the above Bill, which I understand is currently at the committee stage in the Scottish Parliament.

I am particularly concerned about the potential extension of the erosion of the freedom of speech in our nation. This has been a long established, accepted principal, much appreciated by the people of Scotland. At this time of celebration and remembering the victory won some 75 years ago, which enabled the nation to continue to enjoy the freedom of which it had long been accustomed, it is ironic that one element of that freedom, freedom of speech, is under further threat.

In particular there is a danger that introducing a new offence of "stirring up hatred" may be interpreted in such a way as to limit freedom of speech and discourage or even prevent the views of those who disagree with legally defined mores from being aired. It is precisely because this has not been the case to the same extent in the past, that minorities have been able to express their opinions and in some cases the values of today, so different to those of the past, have been able to be developed. One recent example might be the re-definition of marriage.

There is also dangers in the use of such an expression. Who is to define what constitutes "stirring up hatred"? One person's feeling that their views were being threatened might be another person's opinion which should be expressed to allow society the opportunity to consider progress. At what point does expressing a contrary opinion become "stirring up hatred"? A legal minefield awaits!

This is therefore to request that you should not include of such a woolly expression in the proposed new legislation.

Thank you for your contribution to the government of our country.

Yours sincerely

Colin Kirkwood