

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM JAMIE MCCROHON

Dear recipient,

I am writing today to seek the repeal of the Hate Crime Bill that is soon to be enforced by law in Scotland. The bill is a clear violation of human rights as dictated in the European Union's Human Rights in the EU: fundamental rights under equality; discrimination & equality between men and women; Social Security - equal treatment for men and women. In the Hate Crime Bill, there is only mention of misogyny being a punishable act whereas there is no mention of misandry. This would mean that all men in Scotland are in danger of a prison sentence if found "inciting hatred" towards women, whereas women are freely allowed to "incite hatred" towards men.

Therefore, this would mean that women are unable to be punished for verbal abuse in Scotland whereas men can, which is a clear violation of equality. No one should see time in prison as a punishment for saying something offensive in Scotland as that is a blatant disregard for freedom of speech. Who decides on what the "stirring up of hatred" means? How is it fair that a court decides the context for the "stirring up of hatred"? Surely everyone has the right to a fair trial, as stated in the Universal Declaration of Human Rights, Article 10. Freedom of speech should be a right held by all, regardless of sex, gender and ethnic background. Obvious claims to violence should be taken seriously, but someone swearing at another should not be punishable by the law. That is a gross violation of freedom of speech which has happened countless times in Scotland. The Hate Crime Bill seeks to further reinforce the death of freedom of speech in Scotland by protecting certain genders and ethnic groups from verbal harassment. I do not agree with calling someone a racial slur unless it is a joke. Context towards these accusations of harassment completely negates the context of why the person said what they said. Adding age as a new offence will greatly restrict freedom of speech and means that the entire country shall fear accidentally saying something that can be perceived as hate speech or harassment. This bill seeks to punish anyone who may "step out of line" verbally and hand them down a prison sentence for expressing the basic human right of free speech. You should not be punished by law for speaking your mind on certain subjects. If you do not like a certain group of people (religious, ethnic, gender) then it would be impossible now to voice said opinions in public for fear of being thrown into prison.

This law is also a clear violation of Article 10 of the European Convention of Human Rights. To quote;

"Article 10 – Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary."

End quote.

In Article 10, it is stated "without interference by public authority" in regards to freedom of expression. The Hate Crime Bill seeks to completely ignore this and gives the Scottish government and authorities the right to arrest those who express themselves freely. To support and allow such a bill to pass is the support of the death of free speech and the freedom of expression.

The Hate Crime Bill also goes against the Universal Declaration of Human Rights, which was voted for by the United Kingdom on the 10th December 1948. Article 19 in the Universal Declaration of Human Rights dictates that; "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

The Hate Crime Bill's very existence goes against the Universal Declaration of Human Rights. The UDHR sets out fundamental human rights to be universally protected by the United Nations. As I have stated before, and as I shall state again, the Hate Crime Bill will go against the fundamental human rights as stated in the UDHR.

Kind regards,
Jamie McCrohon

Jamie McCrohon
7 July 2020