

**JUSTICE COMMITTEE****HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL****SUBMISSION FROM WILSON MCLEOD**

This evidence was submitted in Gaelic. There is an English translation below it which has been provided by the Scottish Parliament's Gaelic team.

Tha mi a' sgrìobhadh thugaibh co-cheangailte ri ur co-comhairle air a' Bhile Eucoir Gràin agus Òrdugh Poblach.

Tha mi a' toirt taic do phrionnsabalan farsaing a' Bhile ged a tha e cudromach aig an aon àm a bhith mothachail air luach bunaiteach saorsa cainnte is conaltraidh, a tha deatamach do chomhann-sòisealta deamocratach.

Bu mhath leam beachd a chur an cèill air aon phàirt den bhile gu sònraichte: gum bu chòir cànan a chur ris an liosta de fheartan a tha air an ainmeachadh ann an earrann 1(2) den Bhile.

Gu mì-fhortanach, tha claon-bhreith agus gràin stèidhichte air cànan cumanta ann an Alba. Mar eisimpleir, cluinnear gu tric mu ionnsaighean (briathrach no corporra) air daoine a bhios a' bruidhinn chànanan seach Beurla ann an àiteachan poblach leithid bhuisaichean no thrèanaichean. A rèir coltais tha ionnsaighean den t-seòrsa seo air fàs na bu chumanta anns an àrainneachd mhì-fhallain co-cheangailte ri Brexit. A thaobh na Gàidhlig, tha beachdan nimheil a tha a' cur a' chànan agus a luchd-labhairt an suarachas ro-chumanta anns na pàipearan naidheachd agus anns na meadhanan sòisealta. Tha ionnsaighean den t-seòrsa seo a' dì-mhisneachadh luchd na Gàidhlig, ach nas cudromaiche na sin, gu tric tha e *mar amas* aig an fheadhainn a bhios a' cur a-mach beachdan nimheil den t-seòrsa seo cron a dhèanamh air solar dhan Ghàidhlig agus a luchd-labhairt. Mar eisimpleir, gu tric tha na h-ionnsaighean seo gan cur an cèill gus ìmpidh a chur air na h-ùghdarrasan gun taic a thoirt dhan Ghàidhlig a thaobh foghlam Gàidhlig.

Faodar argamaid a chur an cèill gu bheil cànan air a dhìon mar-thà san t-seagh gu bheil e co-cheangailte ri cinnidheachd (agus cinnidheachd co-cheangailte ri bunadh nàiseanta). Mar eisimpleir, ma tha cuideigin a' fulang ionnsaigh air sgàth a bhith a' bruidhinn Spàinntis ann an àite poblach, faodar argamaid a dhèanamh gu robh an ionnsaigh stèidhichte air a' cheangal eadar cànan na Spàinntis agus dùthaich na Spàinne (no dùthaich eile far a bheil an Spàinnis ga bruidhinn). Ach tha an t-slighe reusanachaidh seo toinnte agus neo-dhìreach. A thaobh na Gàidhlig, faodar argamaid a chruthachadh gu bheil na Gàidheil na 'ethnic group' a rèir an lagha (mar a mhìnich am Morair Bracadal na aithisg) ach chan eil an gnothach idir deimhinne, agus a-rithist an t-slighe reusanachaidh ro-chasta.

Uile gu lèir, bhiodh e na bu shoilleire, na bu shìmplidhe agus na bu chinntiche 'cànan' ainmeachadh am measg nam feartan ann an earrann 1(2).

## English Translation

I am writing to you in connection with your consultation on the Hate Crime and Public Order Bill.

I support the general principles of the Bill although it is important at the same time to be aware of the basic value of freedom of speech and communication, which is essential to democratic social discourse.

I would like to express an opinion on one part of the bill in particular that language should be added to the list of features in section 1(2) of the Bill.

Unfortunately, prejudice and hatred based on language are common in Scotland. For example, one often hears of attacks (verbal or physical) on people speaking languages other than English on buses or trains. Apparently, attacks of this nature have become more common in the unhealthy environment associated with Brexit. As regards Gaelic, vitriolic opinions denigrating the language and its speakers are extremely common in newspapers and social media. Attacks of this nature discourage the Gaelic-speaking community and, more importantly, it is often *the aim* of those expressing hateful opinions like this to harm provision for Gaelic and its speakers. For example, these attacks are often made to appeal to the authorities to remove support for Gaelic in the matter of Gaelic education.

It may be argued that language is already protected inasmuch as it is connected with ethnicity (and ethnicity connected with national origins). For example, if someone suffers an attack for speaking Spanish in a public place, it may be argued that the attack is based upon the connection between the language of Spanish and the country of Spain (or other country where Spanish is spoken). But this form of reasoning is complex and indirect. As regards Gaelic, an argument may be made that Gaels are an 'ethnic group' according to the law (as outlined by Lord Bracadale in his report) but the matter is by no means categorical, and again the form of reasoning is extremely complex.

All in all, it would be clearer, simpler and more definite to mention 'language' as one of the aspects in section 1(2).

Wilson McLeod  
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