

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM KYLE WALTON

Dear justice committee.

I am writing to you to display my view on the bill that is trying to be implemented. I understand that people have the opinion that they are being victimised and being mistreated, however I do not think that adding more rules and laws that are somewhat one sided will help with people being victimised. Now to make it easier to understand why I think the way that I do I will break down the points made and explain my argument.

Point 1:

"Do you think there is a need for this Bill and, if so, why? Are there alternatives to this legislation that would be effective, such as non-legislative measures, wider reforms to police or criminal justice procedures? Are there other provisions you would have liked to have seen in the Bill or other improvements that should have been made to the law on hate crime?"

Answer:

No I do not think there is a need for this bill as there are enough laws that provide support for people that go through discrimination as is, adding more will only make the situation more complicated and possibly add more victims than there already was. Instead of making new laws why are we not trying to fix older existing laws that have problems with them.

Point 2:

"The Bill brings together the majority of existing hate crime laws into one piece of legislation. Do you believe there is merit in the consolidation of existing hate crime laws and should all such laws be covered?"

Answer:

I think bringing together laws under one banner will add more injustice as crimes and discrimination is a very complex matter and needs to be looked at on an individual basis.

Point 3:

"Do you think that the statutory aggravation model should be the main means for prosecuting hate crimes in Scotland? Should it be used in all circumstances or are there protected characteristics that should be approached differently and why? For example, the merits of a statutory aggravation for sex hostility rather than a standalone offence for misogynistic harassment?"

I don't see why you need to bring this law or sentence under another banner when it isn't really fitting and could bring more mis-interpretation and confusion to individual

cases. If someone has been harassed the person that harassed them needs to be punished for harassing them not put in the same boat as another crime. On another note, not sure why this was only targeting misogyny, as plenty of males get hate from females, as it does tend to go both ways. And if this law is to improve the quality of life then surely focusing on both would be good, less stress for males might help bring the suicide rates down.

Point 4:

"Do you think that a new statutory aggravation on age hostility should be added to Scottish hate crime legislation? Would any alternative means be measured effective? For example, would there have been merit in introducing a statutory aggravation (outwith hate crime legislation) for the exploitation of the vulnerability of the victim?"

Answer:

No there should not be a new law focusing on age hostility as it isn't a major concern as far as actual discrimination is concerned, and it doesn't help that this is all down to the interpretation of the person being discriminated against. The last thing I think our fine officers of the law need to be dealing with is people arguing over if someone said someone was too young or too old for something and took it the wrong way.

Point 5:

"Do you think that sectarianism should have been specifically addressed in this Bill and defined in hate crime legislation? For example, should a statutory aggravation relating to sectarianism or a standalone offence have been created and added?"

Answer:

No this should not be added as a hate crime, this is another case where someone can mis-interpret someone's intentions and falsely accuse them of a hate crime. Now let's say that a person believes in, for example say Christianity. And they are walking past people in the street and someone is getting robbed and they shout oh my god, the person of faith believes this was inappropriate to them and now has them arrested for a hate crime just after they have been robbed. How would you deal with such a scenario?

Point 6:

"Do you have views on the merits of Part 2 of the Bill and the plans to introduce a new offence of stirring up of hatred?"

Answer:

Yes I have a view, but what is to be considered stirring hatred? Calling another person of colour a bad name because your wife cheated on you with him? Calling the opposing side in a football game losers? This is way too vague to be able to implemented properly and will only end in more being falsely accused.

Point 7:

"Do you have any views on the Scottish Government's plans to retain the threshold of 'threatening, abusive or insulting' behaviour in relation to the stirring up of racial hatred, contrary to Lord Bracadale's views that 'insulting' should be removed?"

Answer:

I believe that stirring hatred against anyone of any background is bad, however the law itself is too vague again and it has the possibility of being abused by people that wish to silence groups of people by crying wolf.

Point 8:

"Do you have any comments on what should be covered by the 'protection of freedom of expression' provision in the Bill?"

Answer:

No I do not have any comments on this particular subject, if anyone wishes to do something so long that it does not bring them harm or anyone else it should be allowed.

Now as far as the rest of the other points go I do not have a qualms with them. Thank you for taking the time to read this.

Kind regards,

Kyle Walton
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