

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM MICHAEL DUNCAN

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?

Existing criminal law already covers threatening or abusive behaviour likely to cause fear or alarm. Why will there be a change required? If someone isn't intending to be aggressive or threatening, then someone can simply abuse this law to lodge any complaint against someone with a different view or opinion.

This is very concerning considering that the UK is known as a bastion of freedom and democracy. Why would this be revoked, when most who engage in freedom of expression and speech, do so in a way that clearly is not intended to be threatening.

Also, any new stirring up hatred offences should only cover conduct that is intended to stir up hatred. Which again would mean that someone could be accused of stirring up hatred simply because they expressed a different view or belief. This is highly subjective and an attack on the basic freedoms of speech which have helped shape the healthy intellectual development of democratic society for centuries. Therefore, it is very serious to accuse someone of stirring up hatred, so it must be clear they were doing so deliberately.

Regards

Michael Duncan
08 July 2020