

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM FIRM FOUNDATION TRUST

Thank you for the opportunity to respond with views on the proposed Hate Crime Bill. I wish to share my deep concerns concerning what I believe are inadequate protections for free speech and earnest debate.

I cannot understand why this Bill does not include key legal safeguards contained in parallel legislation in England and Wales. The parallel Bill there has much more robust safeguards. The serious lack of protection of free speech makes this legislation particularly dangerous.

The proposed ‘stirring up hatred’ offences would give those hostile to opposing views to their own a new tool to try to close down debate and silence those who think differently to themselves. The current shockingly abusive “cancelling culture” we witness on social media may find themselves with a legal weapon if the Bill does not contain more robust free speech protection.

I have a great fear that people will be afraid to express their own opinions. If this Bill becomes law, a great many people will censor themselves, choosing not to voice their own perfectly reasonable views for fear of offending someone who may disagree. A lawful but unpopular view could soon become too risky to say. We witness this already with the suffocating “political correctness” that is prevalent in our society.

It is quite frightening that we can see today cases where people with unpopular opinions and views, but which are clearly not offensive, being investigated by the police over their views. The loose and subjective wording in this Bill could make such situations even more common.

For example, the term “hatred” is a very subjective one. I may disagree vehemently with someone’s behaviour, lifestyle or opinion and express that, but that would not mean that I hate them. Even if they perceive me to be hateful I may not be hateful.

The term “abusive” is also used in this Bill. This is far too subjective and emotive a term. If I expressed an opinion and someone who disagreed called me abusive, would I be caught up in a criminal act because of this Bill? It is frightening that I could be found guilty of committing a crime without even knowingly doing so.

I also note the chorus of media criticism of this Bill and in particular Jim Sillars’s perceptive criticism of the chilling effects this Bill may have if it becomes Law as it is.

I do not wish to live in a regime. Please listen to these concerns.

Firm Foundation Trust  
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