

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM VICKY I'ANSON

To the Justice Committee

I write in response to your request for views on the Hate Crime and Public Order (Scotland) Bill. I am very concerned that this Bill could have unintended consequences, and Scotland's efforts at being a progressive, liberal society in this way will only lead to restriction of free speech which is imperative in a democratic country. Rather than the Bill modernizing and extending hate crime legislation it will actually lead to inadequate free speech protections.

Stirring up offences

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?

According to the Scottish Government, in its opinion, the new hate crime legislation will provide greater clarity, transparency and consistency. I inherently disagree and believe it could lead to fear to speak out and restrictions on robust debate. It also seems contradictory to Lord Bracadale's Independent Review which stressed the need for a clear distinction between legitimate debate and rabble rousing. The mere threat of prosecution for stirring up hatred may cause people to keep their mouths shut on issues they feel strongly about, which a subtle but very dangerous threat to freedom of speech.

The wording appears highly subjective and open to serious misinterpretation and surely such a bill will only lead to increased pressures on an already stressed Police Force when politically-motivated complainants use it to try to silence those who disagree with them.

I would never support genuinely threatening or abusive behavior, but I think that the existing law already covers such behavior that is likely to cause fear or alarm. I have lived in Scotland for 20 years, having moved here to study and then remain for employment. However, as I see it moving towards an ever more Orwellian approach to its laws I am becoming more and more concerned that this is no longer a country that protects my freedoms, or the freedoms of my children. I therefore appeal the Scottish Government to reconsider this Bill and ensure we all maintain the right to freedom of speech.

Thank you for considering my response as part of your consultation.

Yours sincerely

Vicky I'Anson
17 July 2020