

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM CLIFF GAST

I wish to register my concerns over the implications of the introduction of the offence of “the stirring up of hatred”.

The introduction of such a measure will inevitably lead to the more vociferous and more “militant” people aligned to various sectors using this section to silence anyone with a different opinion to their own.

As opposed to encouraging an open society where an individual is able to have their own opinion without creating an abusive atmosphere or situation this will simply make anyone afraid to actually think and have their own opinion (without any abuse) and effectively silence them.

Many people whether of a religious persuasion or merely a “thinking person” could be prosecuted for having their own opinion simply because the criteria for bringing a prosecution has been set so low that no actual hatred has to occur for there to be an offence!

Additionally there is nothing in the bill that needs the person to even realise that their behaviour is either abusive/likely to stir up hatred which infers that the offences could be committed unwittingly.

As I understand the existing provisions there is a defence that you had no reason to believe that your behaviour would be witnessed by someone outside your dwelling BUT the new offences can even be committed in the privacy of your own home.

Surely the whole tenor of such legislation is promoting the attitude of silencing “anyone who disagrees with my view” in, as before stated, the more vocal members of society/organisations.

I would thank you for your time and ask that due consideration be made in amending this matter to protect an individual’s own “thought out opinion” without fear of prosecution and enabling a society that actually has freedom of speech/expression.

Cliff Gast
07 July 2020