

20-October, 2024

Dear TD

The Hate Crime Bill should be scrapped in its entirety. We already have existing legislation for certain aggravated 'hate' offences contained in the Criminal Damage Act 1991, the Criminal Justice Public Order Act 1994, the Non-Fatal Offences Against the Person Act 1997 and the Prohibition of Incitement To Hatred Act 1989. The Bill, if passed, will be used as a stepping stone to implement draconian 'hate speech laws', attacking our fundamental right to free speech.

The Bill extends the definition of gender to include "the gender of a person or the gender which a person expresses as the person's preferred gender, or which the person identifies, and includes transgender and a gender other than male and female". The introduction of gender identity ideology into criminal law is in direct contravention of the rule of law that legislation must be certain, clear, precise and unambiguous, and its legal implications foreseeable, particularly when the provisions contain penalties punishable by imprisonment.

Minister McEntee has attempted to justify the implementation of the Bill on the basis of "EU obligations" but even a child should know at this stage that the State use this excuse as a guise to fool the people. The Bill goes far beyond obligations of Member States as set out in the EU Council Framework Decision 2008/913/JHA of 28 November 2008 on 'combatting certain forms of expression of racism and xenophobia by means of criminal law'.

Minister McEntee has made it clear that the government are only proceeding with the 'hate crime' element at this stage because they do not have "consensus" for the 'hate speech element' but that they fully intend to implement this at a later stage. If you vote in favour of the Hate Crime Bill you are therefore complicit in enabling the government with their plan to extend the legislation to criminalise free speech. You cannot possibly vote in favour of this Bill if you profess to uphold the principles of democracy, as the government will use it as a platform to implement laws attacking free speech. Indeed, NGOs have come out in force last week to declare that next on their agenda is to lobby the government to extend the Hate Crime Bill to 'hate speech' as the two are "intrinsicly linked".

Signed,

Natural Women's Council