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## **Press Release: 4 November 2016**

### **ROBERT BUCKLAND SPEAKS AT THE CAMBRIDGE UNION**

On the 4<sup>th</sup> November 2016 the Cambridge Union Society welcomed Robert Buckland MP, Solicitor General for England and Wales. He began by referring to the High Court's decision as to Brexit as an 'interesting moment of our constitutional history', before going on to say that the main theme of his speech was 'hate crime, freedom of speech and safe spaces'. He went on to say that 'devolution had created its own complexities' for his role as Solicitor General and outlined the history of the predecessors. In describing his position in the present day, he said it was the 'meeting point of law and politics' in that 'we can bring politics into law and law into politics'. Whilst admitting that the role was 'mainly operational and invokes the practice of law', he said that it allows him to 'stray into policy too'.

Robert Buckland went on to address the theme of his talk of 'hate crime and specifically disability hate crime' by emphasising to the audience that we must 'do whatever we can to protect those differences and understanding and respect them'. He said that 'looking at what constitutes as a hate crime is the best place to start' at solving the problem and said it 'was all about perception'. He went on to clarify that 'it was not just about what is in the mind of the victim, but it is also about what is the mind of the perpetrator'. He said that 'hate violence is such a personal thing, because hate crimes are specifically and intentionally targeted at people's unchangeable things about themselves'. He questioned the audience by saying 'you can either say we are not going to do anything about that, or we highlight it, support the victims of it and challenge it'.

Speaking about the power of the law in this area, he said that 'laws shape attitudes and aptitudes influence behaviour'. He admitted that the law's 'deterrent effect is not universal in criminal law' but went on to say that 'there is evidence of such an affect in this area' of the law. He stressed that 'we do not want this behaviour to develop into a wider community norm' and that 'hate crime laws are not about punishment for thoughts, it is when one commits a crime based on these beliefs that hate crime law applies'. He continued by saying that 'the debate about whether misogyny fits into this category is a debate we need to have' and went on to say that 'we are continuing to look carefully at the Law Commission's Review on the area'. Commenting on the work of the Law Commission, Mr Buckland said 'whilst I am interested to see whether or not we need to change our law, better implementation and understanding of the current law' would undoubtedly help the current situation. He stated that 'after the EU Referendum, we saw a spike in behaviour that was worrying' and 'whilst we live in a vibrant democracy, we must remember that comments have consequences'.

Upon reflecting on the current work of the Crown Prosecution Service, he said that 'for too long a lot of victims have suffered in silence' and held that 'it is a mark of progress when I see more complaints being made and of course prosecutions'. He declared that the United Kingdom 'leads the world in one of the strongest legal frameworks there is' and that 'we have a more collaborative approach in showing that hate crimes are not being treated lightly'. In terms of improvement he said that we must focus on 'the ways victims are heard and how they tell us the effect of that offence on their lives'. Talking specifically about disabled individuals, he said that they 'regard themselves lives the rest of who want access to mainstream services' and therefore 'do not like being called vulnerable'. He went on to say that 'if we start labelling and categorising people as vulnerable, it affects the way in which we view their credibility'. Commenting on this further, he said the 'we do a disservice with people with disability if we engage with this sloppy thinking'.

Moving on to freedom of speech, he said that 'we tend to think of it as an absolute right, but I like to think of it as a balance'. He went on to stress the importance of addressing 'revenge porn' and the fact that the law has to 'play catch up with the phenomena that has developed'. With that said, he proposed that 'rather than playing catch up constantly, we need to use the existing legislation' in ways to address these new problems. Going on

to safe spaces, he said it a 'modern term for a problem that has been around for generations'. He said that 'my view on safe spaces is that it should be everywhere we go' and that 'what we really are talking about is where dangerous thoughts can be expressed but in a way that respects that balance and the rule of law'.

Asked about the government's response to the recent High Court decision on Brexit, he said that 'I have been keeping a close eye on it and it was entirely appropriate that the Attorney General had gone to the proceedings'. He described the situation has the 'worlds of Westminster and law clashing' and urged that his 'friends in the legal fraternity need to pipe down' on the issue. He concluded his remarks by saying that 'we should be immensely proud of our courts and legal system' and the whilst 'there will always be tension between political correctness and hate speech, we should welcome this tension'.

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