

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM NORMAN A OGSTON

I have a view on the merits of Part 2 of the proposed Hate Crime (Scotland) Bill and the plans to introduce a new offence of stirring up of hatred. This bill is a major extension of hate crime law. It poses a serious threat to free speech particularly for Christians who believe in the uniqueness of Christ as the only Saviour and the sinfulness of certain behaviours. Church services are not protected eg a minister in a Sunday morning service who preaches that Christ is the only Saviour and other religions are false eg Islam or homosexual behaviour and the practice of homosexuality is sinful and even same-sex marriage could see the preacher being prosecuted for stirring up hatred. This happened in Northern Ireland where a preacher was taken to court for declaring there is no salvation in Islam.

The new stirring up hatred offences could be unwittingly committed by someone who did not intend to stir up hatred or even realise that their words could be considered abusive. Religious beliefs and views on morality are matters on which people have strong and divisive views and a free society must protect this. Existing criminal law already exists to cover threatening or abusive behaviour likely to cause fear or alarm so no new law is needed

JK Rowling was recently accused of hate speech by saying correctly that our biological sex is determined at birth and that someone born a woman cannot be a man and vice versa. Someone said in support of free speech "I may not agree with your view but I defend your right to say it."

A democratic society must protect free speech or we are in danger of totalitarianism and breach of human rights of which freedom of religion for which Scotland paid a heavy price in the death of the martyrs is most important.

Norman A. Ogston

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