

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM NANCY MACASKILL

Dear sir / madam

My views are that any religious preaching or discussions should be excluded from this bill as

Below . Christians preaching as we see and understand Gods word and biblical teachings

Are not safeguarded as they are in England and Wales .

As currently drafted, the Bill is particularly dangerous because it does not include the key legal safeguards contained in parallel legislation in England and Wales. Conduct need not be threatening or intended to stir up hatred for an offence to be committed. Instead, the Bill captures any abusive behaviour likely to stir up hatred. An offence could even be unwittingly committed in the privacy of your own home. And there is not nearly enough protection for free speech. There is more on these points in our briefing. 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 can have vigorous debate and change their minds. A free society must protect this.
- Existing criminal law already covers threatening or abusive behaviour likely to cause fear or alarm. No new law is needed.
- A stirring up hatred offence could be committed in a private conversation in your own home.

Nancy MacAskill
18 July 2020