

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM TREVOR BURNETT

To the Chair of the Justice Committee,

I have read the draft of the above Bill. Of particular concern is the wording and omissions from Part 2 section 11, regarding freedom of expression: religion.

By specifying 'discussion of, or criticism' of religion, it omits the right of refutation. By this I mean that while it allows for the expression of disagreement with the tenets of a religion, it does not safeguard the right to defend and express such beliefs. To defend one's religion one must of course be prepared to discuss it. However, defending one's religion may also involve expressing disagreement with opposing views, such as non-religious positions, or indeed with a different religious belief.

Freedom of speech and the right to disagree and debate, regardless of views, should apply to all.

Also of concern in the proposed Bill are the terms 'abusive' and 'insulting'. How are these then to be determined and applied? Is it at all possible to guarantee objectivity within the limits of the Law when such cases occur? I would make a distinction between someone being offended, and speech content or material being offensive.

Are you in danger of legislating for people being offended by differing views?

Yours sincerely,
Trevor Burnett