

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM ALISTAIR McKENZIE

Question 6 part 2

(Views on part 2 of the Bill and the plans to introduce a new offence of stirring up hatred).

I would begin my comments on this subject by saying that threatening or abusive behaviour which can cause fear is already covered by existing criminal law, so in my view, no new law is required.

- Freedom of religion and belief is threatened by offences of stirring up hatred. People, whether atheists or religious, may be stopped from giving an account of what they personally believe. Those who hold religious beliefs should be able to feel free to challenge other religious beliefs. The free speech clause in religion must be stronger so as to protect more than just discussion of criticism.
- Freedom needs to be protected in transgender issues to say that someone born a woman cannot be a man and vice versa, and also freedom to use a person's birth name and pronoun. Robust debate around sexual orientation and same-sex marriage must be protected. Beliefs about same-sex marriage must be covered, and the free speech clause in this subject needs to be strengthened.

Alistair McKenzie
20 July 2020