

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM LESLEY W WILSON

My name is Lesley W Wilson.

I am a practicing, believing Christian and a member of the leadership team @ Southside Christian Fellowship in Ayr.

I wish to raise serious concerns and objections to the Hate Crime and Public Order (Scotland) Bill.

The bill criminalises ‘stirring up hatred’ against people because of characteristics including religion, sexual orientation and transgender identity. This includes abusive conduct as well as insulting behaviour likely to stir up hatred. No actual hatred needs to result. It is all very subjective. The term ‘abusive’ is far too vague and open to various interpretations ranging from threatening or intimidating to merely offensive, rude or insulting. People may even feel offended or insulted where there was no intention to do either. Similar legislation in England and Wales covers threatening conduct only. There conduct must be intended to stir up hatred. We must be able to hold our own views and beliefs even if others strongly disagree without fear of prosecution and imprisonment.

I have always been very thankful that I live in Scotland which has a marvellous tradition of freedom of thought and freedom of speech enshrined in Scottish law. I am appalled that these rights are to be put in serious jeopardy. We must be free to verbally challenge, criticise and robustly debate sensitive issues of religion, sexual orientation and transgender identity. I would like to see a strong freedom of speech clause included in the bill. The wording for the protection of freedom of speech in England and Wales is much stronger than that provided in the new Scottish legislation. It would result in people being frightened and feeling unsafe to freely think, speak, discuss and share ideas.

Finally threatening and abusive behaviour is already covered by criminal law in Scotland. Such behaviour must be likely to cause a reasonable person to suffer fear or alarm. Therefore I do not think that we need further legislation in this area.

Lesley W Wilson

21 July 2020