

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM CHARLES AND JILL WALKER

Dear Sir,

I write to submit my view on the forthcoming Hate Crime and Public Order (Scotland) Bill .

In its new drafted version the Bill poses a very serious threat to the important value of free speech.

I refer particularly to Point 6 - Stirring up offences

This section is very worrying as it could be unwittingly committed by someone who had no intention to stir up hatred, or realise that their words would even be considered abusive. A similar offence in England and Wales covering religion and sexual orientation only covers threatening behaviour **intended** to stir up hatred. This is a much more appropriate threshold.

Discussion of matters of morality and religion must never be gagged, and must always be open to discussion and debate. People must always be free to change their minds on such matters. A free society must protect this.

Offences of stirring up hatred, unjustly applied when there is no intention of hatred, would have the effect of threatening freedom of religious and moral belief.

It threatens free speech and this has already had the effect of shutting down valid discussion on topics such as sexual orientation and same-sex marriage.

Even the threat of prosecution for stirring up hatred will cause many to keep quiet. This is very dangerous to freedom of speech, and undermines a free society.

It is vital that free speech clauses are included.

Yours sincerely,

Charles & Jill Walker
08 July 2020