

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM DEESIDE CHRISTIAN FELLOWSHIP CHURCH

Deeside Christian Fellowship Church is an independent evangelical church in Aberdeen with a membership of approximately 300 and an attendance of around 450 each week.

As the Elders of the church, we wish to express our grave concern about the Hate Crime and Public Order (Scotland) Bill in general but Part II in particular.

While we accept that parts of the Bill can be seen as usefully tidying up some existing legislation (including accurately distinguishing between the issues of transgender and intersex characteristics), our concern is that this proposed legislation has the potential to be used and/or abused with very significant implications for freedom of speech.

Conduct intended to threaten or stir up hatred can never be defended nor should it be condoned. However, criminalising speech is a serious step and it is essential that the thresholds are clear, appropriate and proportionate. In the current Bill this is not the case and this is a significant cause for concern. How someone subjectively feels about something that is said is not an appropriate basis for criminalising speech. There must be a clear division between legitimately held and articulated beliefs and criminalised behaviour the Bill as it currently stands does not achieve this. Disagreement, even about important and even fundamental issues, is not the same as hatred.

It is a fundamental principle of any democracy that individuals and organisations have the right to express views and opinions with which others may disagree and that right must be protected by law. This proposed law has the potential to be used to threaten people into silence, which is to the detriment of society as a whole, inconsistent with the freedoms required for a democratic society to function and an erosion of the rights enshrined in Article 19 of the UN Declaration of Human Rights.

Preventing people from expressing what they believe should have no part in modern Scotland. While this may not be the intention of the Scottish Government, without the inclusion in legislation of proper and proportionate safeguards to protect freedom of speech, the proposed legislation, as drafted, is open to abuse and has far reaching implications on the rights of the people of Scotland.

We trust that with so many diverse elements of society expressing deep concerns about the implications of this proposed legislation, the Justice Committee and the Scottish Parliament in general will either reject Part II of the Bill in its entirety or require significant amendment to secure freedom of thought, freedom of speech and freedom of religion in this country.

The Elders of Deeside Christian Fellowship Church, Aberdeen
23 July 2020