

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM LOCHBROOM AND COIGACH FREE CHURCH

Lochbroom and Coigach Free Church is a congregation of the Free Church of Scotland based in Ullapool and covering the area from Dundonnell to Achiltibuie. We welcome the Justice Committee calling for views on the Hate Crime and Public Order (Scotland) Bill and would wish to make the following comments.

As a church committed to following Jesus and His word, the Bible. We condemn hatred and abuse in the strongest of terms. It is our belief that all human beings are created in the image of God and so have inherent worth and dignity and should not be treated in a degrading or abusing way. However, we are concerned that it is the norm in our society at the moment for people to feel that disagreement with someone's beliefs, opinions or practices means that we "hate" them and we feel that some provisions of the Hate Crime and Public Order (Scotland) Bill encourage this view.

We have no issues with Part 1 of the Bill which seeks to consolidate existing legislation on aggravation. We also are in favour of the abolition of blasphemy.

As Christians, we encourage debate and discussion, and we believe people should be completely free to disagree with our faith in any way, even if that includes mockery and ridicule, such is the nature of a democratic society which asserts, maintains and defends the free speech of its people. Accordingly, we do not believe there should be an offence of blasphemy in Scots law.

Our real concern with the Bill, however, is that in abolishing one form of blasphemy you risk introducing a new blasphemy against accepted speech within society. We strongly oppose the new offences of stirring up hatred and of possessing inflammatory material.

The new offence of stirring up hatred concerns us as it lacks clarity and is incredibly subjective.

What exactly is meant by stirring up hatred?

We note that the offence can be committed unintentionally.

- Does this mean that an unsuspecting person, who had no intention of stirring up hatred, could face imprisonment or a fine?
- As a minister of the gospel, who believes in the authority of the bible as God's word, run the risk of unintentionally 'stirring up hatred'?
- If I preach to the congregation on issues of Biblical ethics, will I be liable to face charges?
- Will members of our congregation be silenced and unable to openly share their faith for fear of transgressing this proposed bill's boundaries?

Given the offence can be committed unwittingly or unintentionally it seriously curtails freedom of speech.

Freedom of speech offers individuals the right to say things which others may disagree with and may even find personally offensive. The very nature of the offence of stirring up hatred undermines this freedom.

We also have concerns in relation to the proposed new offence of possessing inflammatory material combined with the right for a warrant to be issued to enter a premise (including private homes) and remove inflammatory material and ultimately destroy it. The prohibition of written materials and literature which does not conform to current popular opinion, is a very worrying prospect indeed. As Christians, we worry that the Bible could fall foul of this offence as we know some people consider certain verses and passages offensive. Will the Bible be subject to confiscation and disposal?

We believe that those who disagree with our religion should have the liberty to mock us, ridicule us and even insult us. That is part of free debate and we welcome the chance to seek to persuade people in the marketplace of ideas that our beliefs are true and can withstand criticism.

We wish to make clear that we are not in favour of hatred but are concerned that we could find ourselves accused of hatred because we may disagree with someone's beliefs, opinions or practices. This undermines our freedom of religion and our freedom of expression and accordingly we oppose the introduction of the new offences of stirring up hatred and possessing inflammatory material.

Lochbroom and Coigach Free Church
23 July 2020