

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM ERNEST AND CAROL STEPHENS

Dear Sir/Madam

We are very concerned with some aspects of this Hate Crime and Public Order (Scotland) Bill.

This Bill could cause an innocent person to be charged with an offence of stirring up hatred even if that person did not intend this or may not even realise that their words could be considered abusive. A Bill such as this should only cover intended and threatening conduct.. "Abusive" behaviour is too subjective. Someone may not realise that their words or conduct could stir up hatred. It needs to be clear that it was deliberate.

Threatening or abusive behaviour likely to cause fear or harm is already covered by existing criminal law and therefore no new law is needed.

People can have debate and change their minds on religious views and morality laws and a free society must protect this.

Preachers at Church services could even be prosecuted for preaching religious beliefs about sin, if a person perceives that as stirring up hatred.

Stirring up hatred offences threaten freedom of religion and belief and this could prevent both religious and atheist people from speaking about their beliefs. There needs to be a stronger free speech clause on religion to protect more than mere discussion or criticism. There should be freedom to vigorously challenge religious beliefs.

Also a stronger free speech clause on sexual orientation regarding same-sex marriage beliefs needs to be explicitly covered and stronger debate also protected.

Lord Bracadale's Independent Review stressed the need for a clear distinction between legitimate debate and rabble rousing. This Bill does not reflect this.

I hope you will take these points into consideration and ensure that the freedoms of our society are protected.

Thank you for your attention.

Ernest and Carol Stephens
11 July 2020