

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM CALUM MCLLRAITH

I am writing to share my views on the Hate Crime and Public Order (Scotland) Bill, specifically in response to the following question:

6. Do you have views on the merits of Part 2 of the Bill and the plans to introduce a new offence of stirring up of hatred?

I believe there are many dangers and issues associated with the new offence of stirring up hatred.

Of course causing and inciting hateful behaviour among others is a very wrong thing to do, however I feel the new law could be applied to criminalise those who should simply not be deemed guilty of such an offence, due to it going too far and being detrimentally controlling of people's thoughts, views and conversations.

People should be able to speak freely, have open debate and voice their opinions without fear of being criminalised. Free speech is such an important part of our society, and I believe this Bill threatens it. I don't believe our conversations, beliefs and thoughts should be policed and regulated in such a way - the Bill simply goes too far.

If the Bill was to be successful Christians in particular would not have the right to stand up for or question morality (in love and with concern for the other person, and in defence of their faith, not as an attack or attempt to stir hatred) with regards to other religions or transgender and sexuality issues. Why is it that it was alright to question and speak freely about such things in past times in open debate but now it is not and is looking to be criminalised? Religious and faith beliefs must be protected - we mustn't forget that they do after all appear in the Equality Act and for good reason. The bible in particular is relied upon for God's word by billions of people worldwide - it has stood the test of time and this shows us that we must not attempt to silence those who hold to its teachings. Christians must not be forced to conform to thinking patterns which they believe are wrong or be criminalised for speaking out. We must remember that disagreement does not mean hatred. Christians may disagree with a lot of people - but we are called and commanded to love everyone.

It is also possible that people will use the offence in this Bill too liberally and attack anyone for simply and innocently opening their mouth too much, creating a culture where we are scared to speak for fear of breaking the law and are treading on eggshells all the time. Do we really want our already stretched police service to have to deal with nonsensical "made-up" offences when they could be dealing with real crime and issues in our communities instead - such as organised crime, road safety, missing persons, etc.?

'Abuse' is also a very subjective term - it could be applied simply because somebody has had their feelings hurt, perhaps unintentionally and wanted to get even with the

person that offended them through use of the new laws, even if deep down they knew that this would be to take it too far.

Furthermore, in Lord Bracadale's "Independent Review on Hate Crime" report he stressed that there should be a clear distinction between legitimate debate and rabble rousing. The Bill as it currently is does not reflect on his recommendation. When Christians go into controversial topics in debate and conversation they aim to do so in a spirit of love and wanting to share the truth, not to cause trouble and have hatred stirred up upon themselves or others. This must be protected.

Thank you for your consideration.

Calum McIlraith
12 July 2020