

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM LYDIA MALSEED

Dear Sir or Madam,

I hope this finds you and your team well and safe in these odd times?

With sincere thanks, please see below my views on the Bill, mainly focusing on Section 6.

This Hate Crime Bill threatens the spiritual beliefs that anyone holds. I strongly believe that there is no need for a new law. What someone considers as true and right in their own eyes may cause some kind of offence to other people: to disagree is clearly not a crime and cannot be helped, for no-one will completely agree with another person on all things!

Society and civilisation in general has been cultivated over time through the constant debate of issues of the day. It was once considered the 'way of society' in some countries to enslave and trade humans as assets, not seen as individuals created by God; beliefs for and against the enslavement of human beings were strong on both sides, but the enslavement of humans eventually became null and void in the UK and throughout the world, after many many years of struggle, pain, and heartfelt debate. If people on both sides of this argument were living under a law such as what is being proposed now, the fear of causing offence could well silence all people on both sides of the argument, leading to stagnation and no refinement of society for the good of all.

The new stirring up hatred offences could be unwittingly committed by someone who did not set out to stir up hatred, or even realise that their words could be considered abusive. Religious and spiritual viewpoints on morality are matters on which people can have vigorous debate and change their minds. A free and democratic society must protect this right.

I understand that existing criminal law already covers threatening or abusive behaviour likely to cause fear or alarm. No new law is needed.

Indeed, the stirring up hatred offence could be committed in a private conversation in people's homes! This would be cellular censorship of all, thereby denying the freedom and right of all humans.

Religious services, and in my case, my beliefs, proclaim that Jesus Christ is King and Lord of Lords, that we have a mighty God who gave His only Begotten Son to die on a Cross for our sins, so that we may have true freedom, so we can live in love and grace toward Him and all the world. These beliefs would not be excluded from this Bill, if someone thought I was stirring up hatred. For example, a sermon where Christ is preached as the only Saviour, and where it is taught that religions are said to be false, for example, could see said pastor prosecuted for stirring up hatred.

Jesus proclaimed that we are to love every human as ourselves, no matter how people would disagree or agree. Healthy debate must be alive in the world today, and opinions should be respected. As God is my witness, I have never caused any person physical abuse or threatening behaviour, and would never dream of it..especcailly not because of differing opinions. I may disagree with people but God calls us the love and respect each person; hate is not of God. Of course people must be protected against violence or harm, but this is already covered in existing laws.

It is very serious to accuse someone of stirring up hatred, so it must be clear in evidence that they were doing so deliberately.

The free speech clause on religion must be stronger to protect more than mere discussion or criticism. People should feel free to vigorously challenge religious beliefs. This is for all people!

Lord Bracadale's Independent Review on Hate Crime report, which led to the Scottish Government's Bill, stressed the need for a clear distinction between legitimate debate and rabble rousing. The Bill does not come close to reflecting this.

There is a serious risk that politically-motivated complainants will actually label disagreement as hatred to try to silence their opponents! Indeed Police Scotland has said that free speech clauses are important to prevent it being inundated with vexatious reports.

The free speech clause on sexual orientation must be strengthened so that beliefs about same-sex marriage are explicitly covered and more robust debate is also protected. Any stirring up hatred offences covering transgender identity must explicitly protect freedom to use a person's birth name and pronoun and to say that someone born a woman cannot be a man, and vice versa, if a person believes this.

I pray for the Scottish government every day; this is a great country, and many people will be praying for you and your colleagues as this Bill is analysed further. I conclude with verses from the Bible:

"That whosoever believeth in him should not perish, but have eternal life. For God so loved the world, that he gave his only begotten Son, that whosoever believeth in him should not perish, but have everlasting life. For God sent not his Son into the world to condemn the world; but that the world through him might be saved."

John Chapter 3 verses 15-17.

Yours faithfully,

Lydia Malseed
15 July 2020