

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM J. EONA MACQUEEN

Dear Sir/Madam,

I am writing in response to your request for views on the Hate Crime and Public Order (Scotland) Bill.

I find Part 2 question 6 which plans to introduce a new offence of stirring up hatred to be the most concerning. I am particularly alarmed that it could endanger free speech on religious beliefs and views on morality, subjects on which people can have strong debate and change their minds. Any new stirring up hatred offences should only cover threatening conduct which is intended to stir up hatred. Because something is likely to stir up hatred does not mean it was done deliberately-the speaker may not even be aware of this.

At this time one often sees that those who believe in Biblical truth and morality are immediately condemned and mislabelled by the appropriate 'phobia'. Disagreement is labelled as hatred and the threat of prosecution may cause many to keep quiet. This is a subtle, dangerous threat to freedom of speech and so undermines a free society.

I believe that parallel legislation in England and Wales contains key legal safeguards which are absent from the Scottish Bill although Lord Bracadale's Independent Review on the Hate Crime report stressed there should be a clear distinction between legitimate debate and rabble rousing.

Therefore I implore the Justice Committee to put in safeguards for free speech and freedom of religion and beliefs. If not, politically motivated complainants could easily label disagreement with their views as hatred just to silence their opponents.

J. Eona Macqueen
16 July 2020

Name
Date