

JUSTICE COMMITTEE

HATE CRIME AND PUBLIC ORDER (SCOTLAND) BILL

SUBMISSION FROM MELVYN COOGAN

If I may be allowed to set out my personal views on the merits or otherwise of Part 2 of the Bill and the plans to introduce a new offence of the stirring up of hatred.

As a former Police Constable, I would respectfully submit that existing criminal law already covers threatening or abusive behaviour likely to cause fear or alarm. NO new law is required. When I read this, I immediately remembered the Breach of the Peace law where a person could be charged with the offence of ‘...conduct likely to put the lieges in a state of fear or alarm...’.

‘*Stirring up hatred.*’ Who is to decide what that means? As a preacher, I have often referred to Paul’s letter to the Romans, chapter 1 verses 26 & 27: ***‘Because of this, God gave them over to shameful lusts. Even their women exchanged natural relations for unnatural ones. In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed indecent acts with other men, and received in themselves the due penalty for their perversion.’*** Let me ask this. If I were to preach this in church in a real spirit of sorrow and sadness, would this be taken as being ‘*Stirring up hatred.*’? In effect, therefore, anyone can be said to be ‘*stirring up hatred*’ by saying anything *they* deemed to be in a spirit of hatred!

I would say that this proposed legislation would absolutely strangle the right of free speech due to the threat and fear of being prosecuted. What a field day that would be for politically motivated morons to label disagreement as hatred to try to silence any opposition to their views. Furthermore, Police Scotland could well be inundated with infuriating claims of hatred and fear purely to cause annoyance to those opposed to their views.

Lord Bracadale stressed the need for a clear distinction between legitimate debate and rabble-rousing. In my view, the Bill not does come close to it.

Rev M Coogan

Melvyn Coogan
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