

## SOCIAL &amp; ETHICAL ISSUES GROUP

## TAKING OFFENCE or HATE CRIME?

**“Racism, intolerance and prejudice of all kinds are a constant threat to society, and while Scotland is an open and inclusive nation, we are not immune from that threat...this Review will help ensure that we have the right legislative protection in place to tackle hate crime wherever and whenever it happens.”**

*Annabelle Ewing, Minister for Community Safety and Legal Affairs, on the appointment of Lord Bracadale to conduct the Independent Review of Hate Crime Legislation in Scotland.*

With the above announcement the Scottish Government set in motion the recently completed Independent Review of Hate Crime in Scotland.

Leaving aside the question of whether there is a need to categorise behaviour as distinctly ‘hate crime’ (the Courts have always treated criminal behaviour which is rooted in prejudice more severely) it is obviously the case that nobody could seriously argue that criminal behaviour towards any person or group based on a particular characteristic of that person or group is something which society does not have an interest in stopping. As Christians we recognise that **we are all** created in God’s image.

### Disagreement and discord...but hate?

The difficulty which arises is that we affirm not only that we are all made in God’s image but that we are all sinners, that the manifestation of our sin is individual and varied and that we do not have unanimity in what we categorise as being sinful. Additionally, living in what is described as an ‘open and inclusive nation’, we have the reality of a multi-cultural, multi-faith society in which we have to operate. All of which inevitably means that there will be disagreement and discord...but is the expression of that discord ‘hate’ and should it be ‘criminal’?

### New protected characteristics

Under Scots Law at present the Statutory Aggravation labelling a criminal act as a ‘hate crime’ may be applied in respect of the following protected characteristics - race, religion, sexual orientation or transgender identity, and disability. Lord Bracadale has recommended that intersex be made a separate characteristic from transgender identity and that gender and age be added as additional protected characteristics. . He has also recommended that it should be an offence to stir up hatred in relation to groups based on each of the protected characteristics (it is only currently an offence to stir up hatred in relation to race).



Lord Bracadale has suggested that it is not necessary to extend the religious aggravation to capture religious or other beliefs held by an individual rather than a group recognising that the Courts can use their common law powers to impose higher sentences in such cases as necessary.

### The Gospel a hate crime?

In simple terms the tension which now exists is between the categorisation of conduct as ‘hate crime’ on the one hand and, on the other hand, human rights such as the freedom of religion and belief and freedom of speech. When does it become ‘hate crime’ to express disagreement with the currently expressed cultural norms? When does it become ‘hate crime’ to offend somebody by expressing a conservative evangelical view of human sexuality?

When does it become ‘hate crime’ to preach salvation by Christ alone and denounce the false hope of all other religions? There is no right not to be offended and it should not be the case that ‘causing offence’ should be categorised as ‘hate’...the Gospel is, and always will be, offensive to those who don’t believe because it confronts us with our sin but it offers the only hope of redemption and it needs to be heard.

Whatever changes may come about as a result of this Review ,  
*continued overleaf /*

## Hate Crime (continued from front page)

It is already the case that Christian street preachers are being prosecuted in Scotland under 'hate crime' legislation simply because they are preaching the Gospel. The current situation is that, if a complaint is made, the authorities are likely to side with the complainer and, at the very least, prevent the continued preaching of the Gospel or, at worst, prosecute the preacher concerned. Whatever our view of the merits or otherwise of this form of evangelism, it should be a concern to all of us that this is the current reality in Scotland.

This Review and the current political landscape suggest that the situation is only likely to get worse.

*Barnabas Fund analyse this review and take an interesting perspective suggesting that it is replacing an outdated blasphemy law with a modern one.*

See <https://tinyurl.com/yc92p5mx>

You can read Lord Bracadale's report (148 pages!) at [www.gov.scot/Resource/0053/00535892.pdf](http://www.gov.scot/Resource/0053/00535892.pdf)

## SHOULD DRUGS BE LEGALISED?

Lord Falconer, former Lord Chancellor and Justice Secretary under Tony Blair, has proposed that the UK should consider legalizing and decriminalizing the supply of currently illegal drugs.

Colorado is one of the states in US which in recent years has legalized the use and distribution of marijuana with the intention of normalizing the use of the drug and thereby controlling the market and reducing the harmful impact.

Results have shown this has not been the case. Instead there has been enhanced use of marijuana often in public; powerful criminal gangs have infiltrated the supply chain; huge areas of forest land have been cleared to grow the drug; and the strength of the marijuana has increased dramatically with disastrous effects.

This video <https://vimeo.com/280127474> clearly spells out the unexpected consequences of Colorado's decision. It is an hour long, but well worth watching.



## GRASPING THE NETTLE

Grasping the Nettle is a Scottish-based project which challenges the oft-held belief that increasing scientific knowledge implies that science and religion are in conflict, that we have outgrown the need for God, and that all questions of importance can only be answered by science.

By using the impressive 'Exploring the God Question' DVD series and by organizing events and lectures, GTN aims to transform the public understanding of the issues at the heart of the Science/God debate.

One of their forthcoming events is 'What a Wonder-Full World' in Perth on the evening of 3<sup>rd</sup> November – an evening of music, film, drama and conversation about the big questions of life.

Read the latest GTN newsletter, with details of the Perth event, at <https://tinyurl.com/y8zp3bag>

GTN web site: [www.graspingthenettle.org](http://www.graspingthenettle.org)



## CHRISTIAN INSTITUTE WEEK OF PRAYER

The CI is encouraging churches to devote to the week of 21 – 27 October to prayer for social and political issues.

Their suggestions are:

- Sunday 21<sup>st</sup> - Our schools
- Monday 22<sup>nd</sup> – Our families
- Tuesday 23<sup>rd</sup> – Our Society
- Wednesday 24<sup>th</sup> – Our children
- Thursday 25<sup>th</sup> – Our leaders
- Friday 26<sup>th</sup> – Our religious freedom
- Saturday 26<sup>th</sup> – The Christian Institute

Leaflets with more details will be available on the information desk in the run-up to the 21<sup>st</sup>.