

Minutes of the Cross-Party Group on Freedom of Religion or Belief

Held online, via Zoom

22nd June 2020

Present

John Mason MSP

Murdo Fraser MSP

Jeremy Balfour MSP

Kishan Manocha – ODIHR

Danny Boyle - BEMIS

Ravinder Kaur Nijjar

Philip Mendelsohn – Interfaith Scotland

Lorraine McMahon - ACN UK

Doug Flett

Anne Edwards – Church of Jesus Christ of Latter-Day Saints

Kirndeeep Kaur - Sikh Sanjog

Brian Miller - Baptist Union of Scotland

Oliver Lane – Universal Peace Federation and Dundee Faith and Belief

Frances Hume – Interfaith Scotland

Lindsay Taylor – Interfaith Scotland

Robert Bennet – Shetland Interfaith

Ephraim Borowski – Scottish Council of Jewish Communities

Charles Warren - Open Doors

Patricia Findlay – Aberdeen Interfaith

Evelyn Rae Liston – Church of Jesus Christ of Latter-Day Saints

Nigel Kenny – The Christian Institute

Kieran Turner - Evangelical Alliance

Margery MacKay – Unitarians in Scotland

James Fraser – Release International

Coleen Wylie – Police Scotland

Maureen Sier – Interfaith Scotland

Jamie Spurway - Interfaith Scotland

Adam Mackie – John Mason's office

Alan Kay – Interfaith Scotland

Apologies

Maurice Golden MSP

Fraser Sutherland

Rev. Malcolm MacLeod – Steadfast Global

Quorate

John Mason MSP, Murdo Fraser MSP and Jeremy Balfour MSP were present, making the meeting quorate.

Welcome

John Mason MSP welcomed everyone to the meeting, noting the unusual circumstances. The first item on the agenda was the group's annual general meeting.

AGM

Maureen Sier nominated John Mason to continue as the group's Chair. Murdo Fraser seconded the nomination. John Mason then nominated Murdo Fraser as the vice-chair, and proposed that Interfaith Scotland continue to be the secretariat for the group. These nominations were seconded by Murdo Fraser.

Approval of Previous Meeting's Minutes

John then asked the group to approve the minutes of the last meeting. After some minor corrections, the minutes were adopted.

General Meeting

Maureen Sier opened the general meeting with a brief description of the Hate Crime Bill and welcomed Danny Boyle to speak.

Presentation from Danny Boyle of BEMIS

Danny framed his input around the report by Dr Duncan Morrow into tackling hate crime and building connected communities. His input focused on three aspects: The content of the law; the need for data around hate crime and where it is happening; and the need for dialogue between different groups.

He noted that Scotland has a complex mix of ethno-religious communities and that astonishing work done has been done nationally by faith communities in recent weeks.

Danny described the rationale of the new hate crime law is to consolidate hate crime statutes into one. He relayed that BEMIS broadly support the Bill. BEMIS had rejected the need for including sectarianism within the bill on the grounds that such groups are already protected under previous legislation. He noted that the definition of race used in the bill is lifted from the international convention on racial discrimination and therefore includes colour and nationality, which BEMIS agrees with. He noted that the bill has a freedom of expression clause within it and feels that this is an important inclusion.

He described that when Police Scotland was amalgamated, we lost the ability to have disaggregated data on hate crime. He noted that we need to develop a new system of hate crime data and disaggregation. The hate crime against people of Pakistani background was described as islamophobia by proxy. We do not see the level of Islamophobic hate reflected in the data that BEMIS believe exists in Scotland. He explained that there has been no disaggregated hate crime data in recent years and that we need this information to consider where we will target efforts and messaging.

Danny also stated that we need to have informed, brave and inclusive discussions. As an example, he stated that there is nothing wrong with being proud to be British or Scottish or protestant. The problem occurs where an expression of that identity is an expression of hate against a group.

He closed his presentation saying that dialogue, respect, and citizenship must come first with these issues. Law is a remedy of last resort especially for those who experience hate crime. We need to be able to have honest and frank conversations about how we live together. Alongside hate crime legislation we need data, and the ability to instigate respectful dialogue with each other.

Presentation from Kishan Manocha, senior advisor on freedom of religion or belief for ODIHR

Kishan began by briefly describing the wide remit of the Organisation for Security and Cooperation in Europe (OSCE) and the Office for Democratic Institutions and Human Rights (ODIHR). He explained that in his current role he works to tackle intolerance on religion and belief. The intention of his presentation was to share some of the most relevant tools and mechanisms that have been developed internationally. The international community has been long concerned with such intolerance. Despite efforts to address the issue it is on the rise globally. He explained that differences in the way that data is collected by different states makes comparison difficult. But that there appears to be a growing climate of intolerance, with both states and non-state actors contributing to it. This climate leads to acts of violence against groups of different religions and beliefs.

Kishan described international agreements that have gained support in the international community. He explained that they are seen as living, evolving agreements and argued that by implementing them we will be able to discuss impact and good practice.

He went on to articulate that law and judicial enforcement cannot eradicate intolerance. They are essential but not sufficient. States also have to invest in context-based measures. When it comes to law and policy the framework should be set at both national and local levels. The constitutional framework must include freedom of expression and non-discrimination. You cannot privilege one of those over the other, they tend to rise and fall together. We need well-functioning national bodies as well as civil society activism.

Freedom of expression can be limited, but the circumstances are narrowly defined. Speech can only be prohibited when it advocates hatred that constitutes incitement to violence. Not all forms of offensive or derogatory speech amounts to incitement and should be restricted. It is not easy or recommended to police language. Law should be the last resort. Kishan closed by emphasizing the role of change agents such as the media, and the importance of religious literacy, critical thinking and empathy.

Action Points

There were no actions arising from the discussion.

Date of Next Meeting

The date of the next meeting is yet to be agreed. It is expected that the focus of the meeting will be on the circumstances for religious minorities in India.