

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

## **Scottish Parliament, Committee Room 6**

**21<sup>st</sup> May 2019**

### **Present**

John Mason - MSP for Shettleston  
Murdo Fraser - MSP for Mid Scotland and Fife  
David Robertson – St Peters Free Church  
Adam Mathers – John Mason’s office  
Ann Edward – Church of Jesus Christ of Latter-Day Saints  
Evelyn Rae Liston - Church of Jesus Christ of Latter-Day Saints  
Lorraine McMahon - Church in Need  
Oliver Lane – UPF  
James Fraser – Release International  
Nigel Kenny – Christian Institute  
Alan Meldrum - Open Doors  
Trishna Singh - Sikh Sanjog and Interfaith Scotland  
Alan Kay – Interfaith Scotland  
Jamie Spurway - Interfaith Scotland  
Fraser Sutherland - Humanist Society Scotland

### **Apologies**

Patricia Findlay - Aberdeen Interfaith  
Charles Warren – University of St Andrews  
Steve Begarnie - Open Doors  
Jeremy Balfour MSP for Lothian  
Gordon Lindhurst – MSP for Lothian  
Mirella Yandoli - Church of Scotland  
Anthony Horan - Catholic Parliamentary Office  
Linda Oxburgh – Release International  
Brian Oxburgh – Release International  
Brian Miller – Baptist Union of Scotland  
Malcolm MacLeod – Steadfast Global  
Ravinder Kaur Nijjar – Scottish Sikh Community  
Ruth Donaldson – Christian Solidarity Worldwide  
Yolanda Matro – Focolare Movement  
Patricia Batista – Focolare Movement  
Steve Begarnie – Open Doors

### **Quorate**

The meeting was quorate as two MSPs were present – John Mason and Murdo Fraser.

## Welcome

John Mason MSP welcomed everyone to the meeting and outlined the structure of the evening. The minutes from the previous meeting were approved, with minor changes.

## General meeting – presentation from David Robertson

David Robertson thanked the group for permitting him to speak at the meeting as it will be his last opportunity before emigrating to Australia. The presentation began by stating that religious freedom is the bedrock of all other freedoms. However, religious freedom is not the freedom to do whatever a person wants. Religious freedom must be for all. For example, David stated, that he was in full support of Syrian refugees being allowed to have mosques in the areas of Scotland where they are housed. David also stated that we also must include freedom from religion. He stated that in his opinion it is not the state's right to enforce any faith. However, he did feel that there is a general threat to religion in Scotland.

Mr. Robertson was clear that he did not think that the threat amounted to persecution, but he stated there definitely was religious discrimination. He spoke of rising antisemitism and also of his absolute commitment to anyone, including his own children, having the right to change their faith or have no faith – if that was their belief.

However, he did state that in his opinion there is a creeping discrimination that affects many people. He sighted that one of the reasons he does not film in his church services is because people feel that their jobs would be at risk. He was uncertain if this was a valid fear or not but nonetheless the perception is that being seen to be religious puts one's job under threat. David stated that recently he was described in a tweet as 'having a belief system which is contrary to the law in Scotland, no one is above the law'. He stated that it is very worrying that people think that the law can have jurisdiction over thought and belief.

He stated that in a debate with Patrick Harvie and others around same sex marriage it became clear that some politicians feel afraid to put their views forward because of the hostility they would receive. He said he was personally approached by MSPs who said they would be afraid to state what they actually believed.

He stated that some people would object to him being given a platform to speak saying 'your views are so obnoxious that they shouldn't be allowed to be spoken here'. But, he stated, we must have freedom of speech in reality, as well as in theory and that all political parties should give assurance that all faiths can be practised without discrimination.

Mr. Robertson stated that social media has become the 21<sup>st</sup> century version of a mob. He said he could report some of the hostility he experiences to the police, but he believes that their definition of hate speech doesn't include him.

David shared the following; *'I expect to someday go to jail for what I preach and believe. I was told by the producer of BBC's 'Thought for the Day' that I cannot say 'British Christian values' because it might offend some. That level of monitoring thought is an attack on religious freedom.'*

John Mason welcomed the thought-provoking nature of the presentation and invited feedback.

## Brief dialogue and discussion with the presenter

**Fraser Sutherland** was invited to make the first response, and initially commented that there was not a great deal that he disagreed with. He commented that Humanists are currently banned from taking part in 'Thought for the Day', so the BBC, in his opinion, are not providing a balanced perspective. In relation to David's concerns with Ofsted, he cited examples where the organisation's powers are being well used to protect children. In relation to David's point about politicians being unable to criticise same sex marriage, Fraser advised that those who agree with the Humanist position on assisted dying told us that they received a great deal of pressure and what they said in private was not then reflected in the public vote. It was noted that politicians will have people disagree with them, and sometimes in very strong terms and that this is all part of a democracy. He noted that David had not provided many examples of the British state restricting religious freedom.

**Murdo Fraser** posed the question: *Should a Christian evangelist be allowed to tell those going into a Mosque that they are going to hell?* David responded that such behaviour would not be allowed because it is a breach of the peace. The limits must be contextual. David Robertson stated that he would tend to allow the most offensive things to be said but to some extent it must be contextual and within limits. The classic example is that you cannot shout 'fire' in a crowded theatre. He felt that identity politics just now are such that people will say you cannot say anything against my identity because it is like hitting me, but he believed that this was not true.

**David Robertson** stated that Humanists should be able to participate in 'Thought for the Day'. In relation to the state he commented what the government is trying to do is the privatisation of religion. He believes that the state thinks it is neutral but he doesn't think that the state is ever neutral. The idea is that the default belief is secular humanism. David Robertson believes in the charter of the UN which says that parents should have the right to choose the religious upbringing of children. He has real concern that we are moving far away from this.

**Andrew Lane** – how do you feel about the supposed impartiality of the media in this area? David replied to say that he does not think the media are impartial. They do have a duty to provide balance and to distinguish facts from opinion. David Robertson stated: *'I don't think any religion has the right to say I deserve to be treated with respect and you can't say anything negative about me'. I think people should be able to criticise religion. Usually truth will out'*.

**Maureen Sier** – Maureen stated that she had concern around the emotional impact it would have on young people and indeed on LGBTQI adults to state that their sexual orientation is against nature. She asked David Robertson to consider his response if one of his own children came out as gay, what would his response be? She stated that in any society there are percentages of the population that are gay or trans. She asked where is the boundary of freedom of speech when the 'speech' has a real impact on the emotional health and well-being of a fellow human being receiving the 'speech'? She stated that the suicide rate is high for LGBT people.

**David Robertson** agreed that the suicide issue is interesting but people often think there is a causal relationship between their sexuality or gender identity and suicide. He relayed an example of a lesbian woman who wrote to him saying that she had for some time thought that she was male but ultimately recognised that she was not. It is how we respond to the emotional impact. Language is important, sometimes you can say one thing but people hear another. I have to be careful about not denouncing

people and the groups that they belong to. I give people freedom to be offensive, but I don't have to listen to them.

**Evelyn Liston** stated that it was critically important that people, whatever their religion or sexual orientation were treated with respect.

**Lorraine McMahon, Trishna Singh and Evelyn Liston** shared personal stories of the struggle of people of faith to come out as LGBTQI+ and that some consider suicide and abandoning their families rather than feeling that they can genuinely find support within their faith communities. This is tragic and difficult to navigate.

**John Mason** – *you've accepted there are limits to freedom of speech?* John stated that he personally felt that there should be limits on hate speech. In John Mason's area of Glasgow there is a lot of sectarian language used however John is still wary about how much freedom of speech is limited. **David** responded to say *'I have friends in Pakistan who live in fear of the blasphemy charge. Governments like the concept of hate speech because it is a means of control.'* *I believe that the breach of the peace rule is often sufficient. I don't think you can police hate, you can police the consequences of hate - I happen to believe Jesus Christ is the truth, but I don't need to use truth as a weapon. I need to be free to present the truth and that is why this is so important to me.'*

After David left the meeting, Maureen updated the group on the OutsideIn project which Interfaith Scotland was running in partnership with 4 EU countries. The project related to training youth workers on how to recognise, manage and transform hate speech in youth work settings. Information and the accompanying manual can be found on the resources page of the Interfaith Scotland website.

**Fraser Sutherland** – stated that Humanists are keen to take forward restorative justice in relation to hate speech. The new proposals are very focused on aggravating factors to other crimes, but there is nothing in the current proposals to criminalise speech itself. Disappointed that the protection of individual beliefs will likely not be in the powers.

**Nigel Kenny** – raised the issue of the Lord Bracadale review and the Scottish Government's current review of hate crime legislation. He expressed the concern that in this context we must always recognise that dissent is not the same as hate.

## **Action Points**

It was suggested that the group could write a letter to complain about Humanists being barred from contributing to 'Thought for the Day'. John Mason suggested instead that we write a letter asking for an explanation of their policy regarding contributors to the programme.

## **Date of Next meeting**

The date of the next meeting is still to be decided.