

Minister to correct record on hate crime bill after NSS intervention

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Scotland's justice secretary will offer to correct the parliamentary record after the National Secular Society pointed out a misrepresentation of the threshold for criminality in a bill on hate crime.

Humza Yousaf addressed a section of the [hate crime bill](#) which proposes to outlaw 'stirring up hatred' on various grounds, including religion, while [answering questions](#) from MSPs on 11 June.

He said a person's actions would have to be "abusive and threatening" for them to be convicted, when only one of these two criteria would need to be met. The relevant wording in the bill is "threatening or abusive".

A successful prosecution would also require that the accused's actions were either intended to stir up hatred against a group of people or likely to do so. Yousaf correctly noted this during his remarks.

The NSS highlighted the error, and urged the minister to correct the record, in a [blog](#) on 16 June. The blog also noted that the minister had used similar wording in a column in [The Scotsman](#) the previous month.

Opposition politicians have now written to Yousaf to urge him to correct the record, and a government spokesperson has told [The Times](#) that he will offer to do so.

NSS response

NSS head of communications Chris Sloggett said: "The distinction between the words the minister used and the wording in the bill was legally substantial, so it's welcome news that Humza Yousaf will acknowledge his error.

"This inaccuracy highlights the need for the Scottish government to rethink its plans. As currently drafted the bill will make it too easy to secure convictions on vague grounds, lead to police time being wasted and fuel a wider climate of censorship."

The NSS is lobbying ministers and MSPs over the bill, which was introduced to parliament in April.

The society has [raised concerns](#) that the proposals on 'stirring up hatred' on religion are too censorious, while [welcoming](#) a separate provision that would abolish Scotland's blasphemy law.

Response at Holyrood

In remarks to *The Times*, shadow justice secretary Liam Kerr said Yousaf's inaccuracy had caused "significant concern" and the relevant threshold for criminality was "low".

The Scottish government disputed the latter suggestion, saying: "Behaviour that is threatening or abusive where it is intended or likely to stir up hatred can and does have a serious impact on those who experience it."

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