

Written evidence from Christian Voices (FOE0129)

Q1 Does hate speech law need to be updated or clarified as shifting social attitudes lead some to consider commonly held views hateful?

A1 We should take the opposing view. The word >hateful= is merely a modern expression of dislike. Use of the word is now so devalued that it cannot be taken to mean what normal people think it means. >Hateful= in common usage simply means >an opposing opinion to mine=.

It follows that >hate speech law= has already gone too far. We accept the need for hate speech laws in the context of colour, race, disability, nationality or ethnic origin, while equally concerned that we might, by approving those areas, simply be expressing our own Christian position from the words of the Apostle Paul:

Act 17:26 (God) hath made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed, and the bounds of their habitation; (KJV)

Nevertheless, in view of the depth of the Christian heritage including the Coronation Oath of the United Kingdom, we submit that such a such a position has historical and constitutional validity.

However, laws which prevent people expressing their convictions about matters of religion or morality cannot be placed in the same category. This author and others like him, from all religions and indeed of none, will assert our freedom to speak out and call those to account whose views differ from ours. We submit that democracy or any civilisation depends on free expression. And such expression can legitimately be robust and even personal, as this Biblical exchange between king Ahab and the prophet Elijah shows:

1Kings 18:17 And it came to pass, when Ahab saw Elijah, that Ahab said unto him, Art thou he that troubleth Israel? 18 And he answered, I have not troubled Israel; but thou, and thy father's house, in that ye have forsaken the commandments of the LORD, and thou hast followed Baalim.

Q2 Does current police guidance and practice on hate speech law help promote freedom of expression?

A2 Here we align ourselves with the already submitted evidence of the Christian Legal Centre. They have set out case after case of the police taking unwarranted action against street preachers and others. This action has been taken despite Parliament removing the word >insulting= from Section 5 of the Public Order Act 1988 (afterwards >POA=). Members of the Committee will recall this action was taken in 2013 after a campaign from the Christian Institute and Rowan Atkinson, among others. But it has made no difference to certain of the police. Their actions are just as heavy-handed as before, now relying on the remaining words >threatening= or much more often >abusive= instead of the now-deleted >insulting=.

The Christian Legal Centre reports that no street preacher, suitably represented in Court, has been found guilty of such Public Order offence. (The conviction of one Michael Overd in Bristol was overturned on appeal.) This draws the conclusion that senior police officers have refused to issue clear guidance to officers regarding freedom of speech because they wish to maintain a chilling effect.

It is important to recognize that Christians are told by the Lord Jesus and the Apostles to preach the Gospel. We see it as a divine imperative. It comes from many scriptures like these:

Mark 16:15 And (Jesus) said unto them, Go ye into all the world, and preach the gospel to every creature.

2Tim 4:2 Preach the word; be instant in season, out of season; reprove, rebuke, exhort with all longsuffering and doctrine.

I was myself arrested by an inspector from the Minority Support Unit of South Wales Police in Cardiff in 2006 for handing out leaflets outside the Cardiff homosexual Mardi Gras event. The leaflets carried a Biblical exposition of human sexuality. When the case came to court, the Prosecutor complained about the power the police enjoy to charge people under the Act and dropped the case. I brought an action against South Wales Police and received compensation for false arrest, unlawful imprisonment and malicious prosecution.

In 1997 Alison Redmond-Bate and others were preaching outside Wakefield Cathedral. The police received a complaint about the preaching. Instead of advising him he was free to leave, a policeman arrested Miss Redmond-Bate when she refused to desist. She was charged with and convicted of obstructing a police officer in the execution of his duty.

Lord Justice Sedley allowed Alison Redmond-Bate=s appeal, expressing himself >unable to see any lawful basis for the arrest or therefore the conviction.= He said: >Free speech includes not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative provided it does not tend to provoke violence. Freedom only to speak inoffensively is not worth having=.

There have also been reports of the police turning up to interview pensioners and children for expressing views counter to political correctness. On 19th December 2020, the Mail on Sunday reported:

>A teenager who is poised to launch legal action over new police rules that may land children who voice their opinion in the classroom with a criminal record says she is protecting freedom of speech.

>The 14-year-old is threatening to bring a judicial review in response to guidance from the College of Policing that officers should keep a record of 'non-criminal hate incidents' even when they do not break the law.

>Speaking to the Mail on Sunday, the teenager said: AWe can't live in fear that everything we say at school may be recorded somewhere on our records, simply because someone else didn't like what you said=.

So I should also ask the Committee to recommend an end to police logging of >hate incidents=. The police, I submit, are not there to take action against >incidents= only against crime.

I should ask the Committee to call for ACPO to clarify the law o freedom of speech to junior officers and if they refuse, to call for removal of the word >abusive= from the POA.

Q3 Is there a need to review the wording and application of Public Space Protection Order (PSPO) legislation?

A3 Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 states that a PSPO is intended to deal with activities which have ... >a detrimental effect on the quality of life of those in the locality=.

Examples given by the website ASBHelp.co.uk are of >drunken anti-social behaviour= and >dogs fouling a public park=. PSPO=s become >contentious= when used against >things like rough sleeping, foul and abusive language, and busking=.

I submit that banning activities like praying, Bible-reading, holding up placards expressing an opinion, is a creative extension of the use of PSPO=s born of antipathy to the views being expressed and cannot reasonably be justified, contravening freedom of expression as human right.

Q4 What obligations does an employee have to their employer when expressing views on social media, and to what extent can, and should, employers respond to what their employees say on these platforms?

A4 I should here refer back to Question 1. If employees are expressing views from religious or philosophical conviction, even (or perhaps especially) views contrary to establishment or mainstream opinion, no employer has any right to take action against them.

Once again, I associated myself with the already submitted evidence of the Christian Legal Centre showing cases where Christians have been discriminated against because of perhaps pro-marriage views they have expressed on social media.

I have reported on the case of Rev J G Hargreaves vs Evolve Housing. Mr Hargreaves won a case of religious discrimination against an employer whose staff used his views on homosexuality and even the complainant=s leadership of a UK registered political party against him.

Q5 Is greater clarity required to ensure the law is understood and fair?

A5 I am sure greater clarity is required. Cases will still come to court, because of human nature and people=s lack of perfect understanding. However, I have already drawn attention to the need for rank and file police to understand the law. It would be inconceivable that UK governments would not make sure their staff at all levels understand the law.

Q6 How has the situation changed in universities in the two years since the Committee=s report on the issue?

A6 The phenomenon of deplatforming has reportedly grown in those two years. Those attending university will be better placed to answer this question. Once more, the evidence of the Christian Legal Centre will be of value to the Committee.

Q7 Does everyone have equal protection of their right to freedom of expression?

A7 In The Friends of Voltaire, Evelyn Beatrice Hall wrote the phrase: >I disapprove of what you say, but I will defend to the death your right to say it= as an illustration of Voltaire's beliefs. In practice there are few of us who would actually defend that right for those with whom we disagree. Certainly, Christians assert the Biblical imperative to preach the Gospel. But the law must apply equally to all, as the Good Book puts it:

Exodus 12:49 One law shall be to him that is homeborn, and unto the stranger that sojourneth among you.

28/01/2021