

## Hate Crime and Public Order (Scotland) Bill – Stage 3

### Section 3

#### Adam Tomkins

- 1 In section 3, page 4, line 22, at end insert—
  - <( ) For the purposes of subsection (4), in determining whether behaviour or communication was reasonable, particular regard must be had to the importance of the right to freedom of expression by virtue of Article 10 of the European Convention on Human Rights, including the general principle that the right applies to the expression of information or ideas that offend, shock or disturb.>

#### Adam Tomkins

- 2 In section 3, page 5, line 2, at end insert—
  - <( ) This section should be read and given effect subject to the general principle that the right to freedom of expression applies to the expression of information or ideas that offend, shock or disturb.>

#### Adam Tomkins

- 3 In section 3, page 5, line 2, at end insert—
  - <( ) For the avoidance of doubt, nothing in this section qualifies or modifies the general principle that the right to freedom of expression applies to the expression of information or ideas that offend, shock or disturb.>