



18 January 2017

Ms T Ross,
Specialist State Law Adviser,
Department of Justice and Constitutional Development,
Tel: +27 (0) 12 406 4759
hatecrimes@justice.gov.za

RE: Comment on the Proposed "Hate Crimes and Hate Speech Bill"

Dear Ms Ross,

We would like to thank the Department of Justice for taking steps to reign in hate crimes and hate speech in our beloved country.

Please consider the following QUALIFIER which certainly applies to such legislation, and which we earnestly request is included under section 4.1. (or at least with other wording to the same effect).

"It shall not be construed as Hate Speech if objective public and private discussion is held about the factual issues concerning any of the above matters, and the extent to which private or public practice by persons engaged in religious, social, sexual or remedial measures is healthy, advisable, desirable or commendable. The fact that persons so engaged may feel offended by such discussion shall not be a valid reason for classifying it as Hate Speech."

We think this paragraph speaks for itself. Our concern is that people who hold different views on issue like sexual practices and religious convictions could be accused of hate speech or hate crimes unjustly without this proviso.

On behalf of the Executive of Knysna Baptist Church, a member of the Baptist Union of South Africa.

Malcolm Cunningham
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Knysna, Western Cape