**MEDIA STATEMENT**

**JUSTICE AND CORRECTIONAL SERVICES COMMITTEE RESOLVES TO ISSUE HATE CRIMES AND HATE SPEECH BILL FOR PUBLIC INPUT**

**Parliament, Wednesday, 18 August 2021 –** The Portfolio Committee on Justice and Correctional Services today received a briefing on the Qwelane Constitutional Court judgement and resolved to issue the Hate Crimes and Hate Speech Bill for public comment.

Committee Chairperson Mr Bulelani Magwanishe said the committee has awaited the court judgment on this matter before proceeding with it, as it relates to offensive language towards members of the LGBT+ community. The previous Parliament’s Portfolio Committee on Justice and Correctional Services had called for public comment or input on the Bill up until 31 January 2019. The committee had intended to hold public hearings after the closing date, but due to its heavy workload and the looming National Elections at the time, this could unfortunately not happen and the Bill lapsed at the end of the fifth Parliament.

“Due to the length of time since then and the court judgement, although it specifically only referred to amending the Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000, the committee has agreed to re-advertise the Hate Crimes and Hate Speech Bill for public input. The court judgement provides clear parameters on how the committee should approach the Bill,” he said.

During today’s briefing, the committee heard that the Bill seeks to address the increasing number of incidents motivated by prejudices, in the form of hate crimes and hate speech, and to assist persons who are victims thereof. It also seeks to create the offences of hate crimes and hate speech, and puts in place measures to prevent and combat these offences.

The committee heard some of the exemptions for criminal liability includes the right of freedom of expression, as enshrined in section 16(1) of the Constitution, which includes, freedom of the press and other media, freedom to receive or impart information or ideas, freedom of artistic creativity and academic freedom and freedom of scientific research.

The current Bill excludes from hate speech any bona fide interpretation and proselytising or espousing of any religious tenet, belief, teaching, doctrine or writings. Artistic creativity or performance or espousal of religious doctrine will not qualify for exemption from hate speech if it advocates hatred that constitutes incitement to cause harm based on any protected grounds. Details for public engagement will be published in the near future.

The committee also received a briefing regarding the state of the office of the Master of the High Court. Several committee members have shown their dissatisfaction with the “lack of public service” at these offices country-wide.

Following today briefing, Mr Magwanishe said: “The presentation creates the impression that everything is normal in that office. Yet we know of the long queues and non-delivery of service to our people. The onslaught in term of lack of service delivery to our people has been ongoing for many years. We will be closely monitor outcome and impact. We want to know the targets, which ones were met and which ones were not and why they were not met. We cannot accept non-performance.”

**ISSUED BY THE PARLIAMENTARY COMMUNICATION SERVICES ON BEHALF OF THE CHAIRPERSON OF THE PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES, MR** **BULELANI MAGWANISHE.**