

**FAIR**  
**PROTECTION AGAINST RELIGIOUS OFFENCES**  
*A Summary of Existing and Proposed Legislation*

Applicable Law	Type of Offence	Group(s) Protected	Sentence	Remarks
Criminal Libel Act 1819	<b>Blasphemy</b> —the publication of contemptuous, reviling, scurrilous or ludicrous matter relating to God as defined by the Christian religion, Jesus, the Bible or the Book of Common Prayer, intending to wound the feelings of Christians or to excite contempt and hatred against the Church of England or to promote immorality.	The Anglican Church— and its adherents, but only so far as wounding of feelings is concerned. The protection is focused more on the religion rather than the individual follower of the religion.	Possible prison sentence if found guilty.	Blasphemy laws do not protect the non-Anglican Christian denominations or any of the other faiths communities in Britain. Nor do they protect against incitement of religious hatred directed at individuals (including Anglicans) or against harassment, violence and/or criminal damage to property resulting from such incitement.
Public Order Act 1986	<b>Incitement of Racial Hatred</b> — to behave in such manner or to use or publish insulting or abusive words with the intent to stir up racial hatred or, in the circumstances, racial hatred is likely to be stirred up as a result of the action.	'Racial groups' as defined by reference to colour, race, nationality or ethnic or national origin (Race Relations Act 1976). The definition of 'racial group' is extended by case law to include mono-ethnic religious communities, like Jews and Sikhs.	Maximum of seven years imprisonment.	Although Jews and Sikhs rightly enjoy protection from this offence, the protection is not extended to multi-ethnic religious communities. Thus, Christians, Muslims and most other faith communities in Britain remain unprotected from this offence.
Crime & Disorder Act 1998	<b>Racially Aggravated Offences</b> — harassment, violence and/or criminal damage to property motivated by racial hatred or where there is any aggravating evidence of racial hostility in connection with the offence.	'Racial groups' as defined by reference to colour, race, nationality or ethnic or national origin (Race Relations Act 1976). The definition of 'racial group' is extended by case law to include mono-ethnic religious communities, like Jews and Sikhs.	Courts may give higher penalties for main offence to reflect the racial aspect to the crime.	Although Jews and Sikhs enjoy protection from this offence, the protection is not extended to multi-ethnic religious communities. Thus, Christians, Muslims and most other faith communities in Britain remain unprotected from this offence.
Anti-Terrorism, Crime & Security Act 2001	<b>Religiously Aggravated Offences</b> — harassment, violence and/or criminal damage to property motivated by religious hatred or where there is any aggravating evidence of religious hostility in connection with the offence.	The protection extends to adherents of all 'religious groups'. 'Religious group' has not been defined, but left to the Courts to define should the occasion arise for such a definition.	Courts may give higher penalties for main offence to reflect the religious aspect to the crime.	The Act extends the provisions entailed in the Crime & Disorder Act 1998 to multi-ethnic religious communities, and thereby closes a lacuna in the law creating a hierarchy of protection for different faith groups.
Lord Avebury's Religious Offences Bill 2002	<b><i>Incitement of Religious Hatred</i></b> — to behave in such manner or to use or publish insulting or abusive words with the intent to stir up religious hatred or, in the circumstances, religious hatred is likely to be stirred up as a result of the action.	The protection will extend to the adherents of all 'religious groups'. 'Religious group' may be left to the Courts to define should there arise a need for such a definition.	Maximum of seven years imprisonment.	The Avebury Bill seeks to extend the provisions of the Public Disorder Act 1986 to ALL faith communities, including Anglicans, other Christian denominations, Muslims and other faith communities in Britain presently not protected from incitement of hatred against them.