

A large teal speech bubble is centered on the page. Inside the bubble, a blurred photograph shows a group of people, including a woman with long dark hair who is smiling and looking towards the camera. The text "SPEAK UP" is overlaid on the image in a large, white, outlined, sans-serif font.

# SPEAK UP

THE LAW AND YOUR GOSPEL FREEDOMS



*"Those who are serious about sharing their faith owe a huge debt of gratitude to the authors of this timely publication which serves two purposes. On one hand it allays the fears of those who are anxious about infringing legislation and, on the other, rightly reminds us to always witness with sensitivity and respect."*

**John Glass, chair, Evangelical Alliance council, and former general superintendent Elim UK**

*"I have never felt constrained from sharing my faith, by words or deeds, in the UK and this excellent booklet explains why: we do have legal protection to share the gospel. This guidance should make us bolder, although as the text reminds us, we should also be wise and gentle."*

**Gary Streeter, MP South West Devon and chair of Christians in Parliament**

*"It's important that as many Christians as possible read this report. Why? Because we have a wonderful opportunity and a responsibility to speak up for the truth. The information in this report enables Christians to share their faith with confidence. Despite some often misleading and emotive newspaper headlines we can be reassured that freedom of speech and freedom of religion remains a jealously guarded principle in Britain."*

**Derek Thomas, MP St Ives**

*"Confusion, fear and misinformation are causing many Christians to lose their nerve in speaking openly about Jesus in the UK today. This crucial piece of work sets the record straight and encourages us to make sure that we are a people who speak up for Jesus as well as living out his love."*

**John Risbridger, minister and team leader, Above Bar Church, Southampton. chair of Keswick Ministries**

*"This excellent, carefully researched, factual, and well documented booklet should give Christians great confidence that we not only can, but should speak out about our faith. I wholeheartedly recommend it."*

**William Taylor, rector, St Helen's Bishopgate**

*"In 1 Peter 3:14-15, the apostle exhorts under-pressure first century Christians not to be frightened of the threats of those opposed to the gospel, but to revere Christ as Lord, and with gentleness and respect to give a reason for the hope that they have. I regard this Speak Up resource as nothing other than a helpful, practical and positive application of Peter's instructions to under-pressure twenty-first century British Christians."*

**Dr Daniel Strange, tutor in culture, religion and public theology, Oak Hill College, London.**

*"A succinct and helpful guide which should be kept readily to hand. Once read it will encourage Christians to be emboldened in sensitively sharing their faith."*

**Her Hon Judge Heather Baucher, Circuit Judge**

*"A lively and legally informed route map for courteous and competent Christian contention."*

**His Honour Judge David Turner QC, Circuit Judge**

*"Speak Up is a clear and authoritative guide to our rights in law to share our faith. In contrast to some of the scare stories we sometimes hear, it encourages us to realise that we have great freedom for the gospel in the UK, while guiding us in those few areas where we do need to be careful. This should be a spur to all of us to be bolder in our witness."*

**Dr Steve Holmes, head of School of divinity, University of St Andrews**

*"About time! We have needed something like Speak Up for a long time. It is balanced, informative, clear, well-written, wise, biblical and incredibly helpful. Some Christians think it is illegal for us to share our faith, others almost seem to think it is immoral and yet others are just confused about how and what we can say. This short publication not only sets out the legal position but gives us wise biblical advice which is directly applied to the culture we live in, not the one we used to live in, or the one we wished we lived in. It's good news that we have the good news and it's good news that we can tell the good news. Every church and Christian in the UK should have a copy of this wonderful resource."*

**David Robertson, minister of St Peter's Free Church, Dundee, director of Solas CPC**

*"This paper inspires Christians to cherish the freedoms we enjoy in the UK; to prepare for challenges by a culture increasingly keen to see faith privatised; and to exercise their freedoms fearlessly yet responsibly, for the sake of sharing the good news with love and respect."*

**David Burrowes, MP Enfield Southgate**

*"I welcome this initiative. It is more than timely in the light of attempts to muzzle Christians who seek to share their faith."*

**Rt Hon Lord Anderson of Swansea**

*“Resources like this can be gold dust. There seems a growing need for believers who know the times and understand what we should do (1 Chronicles 12:32). ‘Speak Up’ will help us with this. I’m so grateful for the initiative, diligence and wisdom that has gone into putting it together.”*

**Joel Virgo, senior pastor, Church of Christ the King, Brighton**

*“I am delighted to commend this wise and godly guidance to ‘Speak Up’. Joshua of old said to the people of Israel ‘Choose this day whom you will serve’ (Joshua 24:15). This careful mapping of the law by the LCF and the Evangelical Alliance in relation to how we ask others to choose will help us to love as well as challenge our neighbour. I hope it is widely read by lawmakers as well as law keepers.”*

**Rt Rev Keith Sinclair, Bishop of Birkenhead**

*“Speak Up is fantastic. It is such a practical guide to churches and individual Christians to empower them in an age of uncertainty. I love the reasoned response based on factual evidence and above all basic common sense. Well done to all involved in this undertaking.”*

**Nola Leach, head of public affairs, CARE**

*“This is an extremely important and timely publication for Christians throughout the UK, and for Northern Ireland in particular. Given what is happening in the wider world, it is imperative that the Christian voice is heard in the public square. There is an urgent need for a prophetic, biblical voice offering comment, observation and challenge, and this booklet clearly outlines the legal context within which that can happen. It is now up to us to make it happen.”*

**Sir Nigel Hamilton, former head of the Northern Ireland Civil Service**

*“I believe every Christian who wants to share the faith in an open and appropriate way needs to read this document so that they can have confidence to do so.”*

**Jeremy Balfour, MSP Lothian**

*“I very much welcome this clear and straightforward guidance on what Christians can and cannot do. It is essential that we as believers share our faith and I welcome the emphasis on gentleness and wisdom which are surely to be expected from all believers.”*

**John Mason, MSP Glasgow Shettleston**





SPEAK  
UP

THE LAW AND YOUR GOSPEL FREEDOMS



We are the largest and oldest body representing the UK's two million evangelical Christians. For more than 170 years, we have been bringing Christians together and helping them listen to, and be heard by, the government, media and society. We're here to connect people for a shared mission, whether it's celebrating the Bible, making a difference in our communities or lobbying the government for a better society. From Skye to Southampton, from Coleraine to Cardiff, we work across more than 80 denominations, nearly 4,000 churches, 600 organisations and thousands of individual members and supporters. And we're not just uniting Christians within the UK – we are a founding member of the World Evangelical Alliance, a global network of more than 600 million evangelical Christians. For more information, go to [www.eauk.org/join](http://www.eauk.org/join)



Since 1852 the LCF has had a unique vision to encourage and equip its membership of well over 2,000 lawyers and law students to speak about Jesus Christ and live out the good news of the gospel within the legal profession. By developing relevant resources and providing opportunities for building relationships, the LCF seeks to put Jesus Christ and biblical truth at the centre of our lives and witness in the law. Based in the UK the LCF encourages similar organisations throughout the world and has a particular focus on East Africa where support is given to local groups providing access to justice. We are fully committed to supporting the local Church in the UK and this resource is at the heart of our gospel mission and vision. For more information go to [www.lawcf.org](http://www.lawcf.org)

# Acknowledgements

The Alliance and the LCF wish to express their huge gratitude to those who have freely contributed their time and expertise to make this resource possible. In particular we wish to thank Thomas Cordrey, barrister of Devereux Chambers; Alasdair Henderson, barrister of One Crown Office Row Chambers; Mark Jones, head of employment law at Ormerods Solicitors/McMillan Williams Solicitors; Mark Mullins, barrister of 5 St Andrews Hill Chambers; and Simon McCrossan, barrister and head of public policy at Evangelical Alliance; alongside Chris MacIntosh and Naomi Gowan who helped us on aspects of the resource relating to Scotland and Northern Ireland. In addition thanks must be given to Jennie Pollock for her huge patience in editing a work that involves lawyers' and the law(!), and Dr Don Horrocks who was the inspiration behind this venture even being contemplated.

Copyright © Evangelical Alliance and Lawyers' Christian Fellowship 2016

All rights reserved.

Visit [www.greatcommission.co.uk/speakup](http://www.greatcommission.co.uk/speakup) for further information and updates on the law and your gospel freedoms

# Contents

<b>Preface – by Steve Clifford</b>	<b>10</b>
<b>Why this? Why now?</b>	<b>12</b>
Guidance not legal advice	14
<b>What does the law say?</b>	<b>15</b>
What is freedom to speak?	20
<b>Sharing the gospel in private spaces</b>	<b>21</b>
What can I say in church?	21
Are there any restrictions on what I can say in my home?	22
What can I say in someone else’s home?	23
What can I say on private property?	23
<b>Sharing the gospel at work</b>	<b>25</b>
Is the workplace a place for the gospel?	25
What can I say at work and how should I say it?	27
What about harassment?	32
Should I keep clear of controversial issues?	33
Can I share my faith with customers and clients?	34
What if my employer insists on a policy of limiting free speech?	34
What if I am bound by professional guidelines?	35
What do I do if I become aware of an issue between me and my employer?	36
Can I be required to say or do something by my employer that conflicts with my faith?	36
Conclusion about workplace issues	38

<b>Sharing the gospel in public</b>	<b>39</b>
What can I say on the street?	39
What about missions?	40
What about free speech in universities?	40
Is it OK to talk about Jesus even if it offends someone?	41
How should I speak in public spaces?	42
Public Order Offences in Scotland	45
What about using written materials in public?	47
What if the police accuse me of breaching the peace?	48
Summary of what I can't say or publish in public	49
What should I do if I face hostility or intimidation or am threatened with arrest?	50
Can I knock on doors and cold call?	50
<b>Sharing the gospel online and through social media</b>	<b>51</b>
Can I share the gospel via websites and blogs?	51
What can I say on social media?	53
<b>Advertising</b>	<b>57</b>
Is it OK for Christians to advertise?	57
What about advertisements relating to healing?	59
<b>Closing remarks</b>	<b>61</b>
<b>Glossary</b>	<b>64</b>
<b>Resources</b>	<b>67</b>
<b>References</b>	<b>68</b>

Disclaimer: While the contents of this resource are believed to be accurate as at the time of publication (August 2016), the Evangelical Alliance and the Lawyers' Christian Fellowship accept no responsibility for any errors or omissions. The contents are neither comprehensive nor exhaustive, and should be seen as general guidance and not a substitute for legal advice on individual circumstances.

Unless otherwise stated, scripture quotations are from the Holy Bible, New International Version® Anglicized, NIV® Copyright © 1979, 1984, 2011 by Biblica, Inc.® Used by permission. All rights reserved worldwide.

# Preface

BY STEVE CLIFFORD

The good news of Jesus is something we all need to play a part in sharing. We all have amazing opportunities in our everyday lives to introduce people to him: whether at work, at the school gate, in the playground, at the bus stop or over a cup of tea.

As Christians, it's our responsibility to share the good news – and thank God for the incredible freedom we have in the UK to do just that.

We know what a difference the gospel has made to our lives, and we should be passionate about seeing as many people as possible know this transforming good news, as well.

The *Talking Jesus* research showed that in the UK one in five non-Christians, say that, after having a conversation with a Christian about Jesus, they are open to an encounter with him. This is a huge opportunity.

We should grab hold of this opportunity and tell our friends, families, neighbours and colleagues about the life-changing good news we have received. In a society unsure whether there is any such thing as truth, we can bring clarity to the confusion. There is an incredible need for clear and confident evangelism. At a time when there are attempts to chill the atmosphere for publicly expressing our faith we've got to be passionate and graceful with the gospel we share.

There is always a need for wisdom and tact, and there are times when sharing the good news is appropriate and times when it is less so. Not every restriction on when and how we speak is an attack on our faith. Sometimes it's Godly wisdom. We should take care how we speak, and listen just as much as we talk, but always remembering that the gospel cannot be known unless it is spoken and heard. The occasional cases of overzealous regulation and misplaced fervour we hear about should not force us into a corner and cause us to stop sharing the good news.

Our society has benefited over many centuries from the public expression of Christianity and we want that to continue. We want a society with the freedom for the gospel to be preached and heard, and for people to accept or reject what they hear. Such freedoms underpin many other freedoms that we all enjoy, so we should exercise our rights confidently and responsibly.

If we don't use our freedoms we will lose them.

Whether in the home, on the street, at work or online this guide provides information about the legal freedoms we enjoy. I am deeply grateful for the partnership with our friends at the Lawyers' Christian Fellowship for their time and expertise in contributing to this resource.

We hope this will provide a clearer picture of the wonderful freedoms we all have to talk about Jesus, and the confidence to make the most of every opportunity.

A handwritten signature in black ink that reads "Steve". The signature is written in a cursive style with a long, sweeping underline that extends to the right.

Steve Clifford  
General director, Evangelical Alliance



## Why this? Why now?

### AN OPENING NOTE FROM THOMAS CORDREY, OF THE LAWYERS' CHRISTIAN FELLOWSHIP

When Jesus met for a final time with his disciples before ascending into heaven he exhorted them to do as he had done and “go into all the world and preach the good news to all creation” (Mark 16:15). Right from the start, the Christians who began to fulfil this mandate were met with a mixed reaction. While many who heard the disciples preach were “cut to the heart” (Acts 2:37) by the message of Jesus, it was not long before others were “greatly disturbed” (Acts 4:2) by the message and sought to censor it or silence those who spread it.

*“Go into all the world and preach the good news to all creation.”*

*(Mark 16:15)*

Little has changed since those first days. We continue to live in a world where the feet of those who proclaim the good news of salvation through Jesus Christ are considered beautiful by some, whilst the same message is considered offensive by others. But whatever the uncertainty of its reception, the Christian message must be proclaimed to all people for it tells of the *only* way that we can be reconciled to the living God. As Romans 10:14 says “And how can they believe in the one of whom they have not heard? And how can they hear without someone preaching to them?”

*The Christian message must be proclaimed to all people for it tells of the only way that we can be reconciled to the living God.*

Sometimes people feel that we live in a society where it is increasingly difficult to share our faith. At times we can even face hostility. Small but vocal humanist and atheist organisations would have us believe that Christianity should be kept as a private matter and that speaking about faith with non-believers will

be unwelcome. The media seize on and report the rare cases where talking about Jesus has led a Christian into legal hot water: whether it is the arrest of a street preacher or the disciplining of an employee for speaking about their beliefs in the workplace.

On the other hand, we live in a society where the law is designed to safeguard rights and freedoms and Christians are protected from religious discrimination by strong domestic and European legislation. Ours is a multi-ethnic, plural society where people are encouraged to tolerate and embrace religious diversity, including Christianity. On that basis it should follow that there is a greater opportunity to talk to others about God.

So which is it? Do our laws inhibit the freedom to talk about Jesus or do they promote that freedom? This resource aims to provide answers so that Christians wishing to share their faith can do so confidently in line with Jesus' advice to his disciples to be "as shrewd as snakes and as innocent as doves" (Matthew 10:16). The love of God in Christ Jesus – his life, his death and his resurrection – all compel us to share the good news about salvation and new life in Him. Indeed, for those who love the Lord, this message of hope is impossible to contain. It remains a core part of our lives and will inevitably bubble over in our conversations with friends, family and colleagues. It will be discussed in the street, proclaimed on university campuses, written about in newspaper articles and disseminated by tweets and blogs. When opposition is faced we can say with the early Christians: "Now, Lord, consider their threats and enable your servants to speak your word with great boldness" (Acts 4:29). We can also say that we have hard-won freedoms to express our beliefs. Amid the religious illiteracy, confusion and attempts by some to chill the atmosphere for public expressions of Christianity in the UK, we hope that this resource will provide a clearer picture of the legal basis for us to talk, freely, about Jesus.

*This resource aims to provide answers so that Christians wishing to share their faith can do so confidently.*



## Guidance not legal advice

The content of this resource is guidance and cannot replace specific legal or pastoral advice addressing individual circumstances.

None of the authors or contributors accept any responsibility for reliance placed upon it, because every different opportunity to share faith will have its own context and nuances. The guidance contained in this resource is necessarily general and cannot predict the many particular opportunities to share faith that may arise.

The law is changing all the time. We will seek to update substantive changes to the law on our website, [www.greatcommission.co.uk/speakup](http://www.greatcommission.co.uk/speakup), where you can also find more detailed information and links to other helpful organisations. Please refer to this website for further information about the guidance below.

Importantly, should you have concerns about the possible legal consequences of a particular course of action, then it will be wise to seek specific advice first and to act second.



# What does the law say?

Freedom to share, discuss and debate religious beliefs has benefited from legal protection for many centuries. The protection which exists today covers the spoken word and written publications. It ranges from protecting a street preacher, to allowing a billboard displaying Bible verses, to ensuring a conversation in a home can occur without any restriction. The protection is found in the principles of the common law, in domestic legislation like the Public Order Act 1986 and in European legislation – principally the European Convention on Human Rights (ECHR) which was incorporated into British law by the Human Rights Act 1998.

Of the 11 key freedoms secured by the ECHR, only two are given special mention in the Human Rights Act itself:

1. freedom of expression
2. freedom of thought, conscience and religion

In relation to freedom of religion, the Human Rights Act states:

If a court's determination of any question arising under this Act might affect the exercise by a religious organisation (itself or its members collectively) of the Convention right to freedom of thought, conscience and religion, it must have particular regard to the importance of that right.

*The strength of the legal protection to speak freely about Jesus Christ and all topics affecting freedom of conscience and belief is very considerable indeed.*

The strength of the legal protection to speak freely about Jesus Christ and all topics affecting freedom of conscience and belief is very considerable indeed.

Articles 9 and 10<sup>1</sup> of the ECHR are now the primary source of legal protection for Christians wanting to share the gospel of Jesus in many different situations: whether they wish to do so by posting material on websites, by having

conversations with colleagues at work, or by handing out tracts on a high street. Article 10 contains the right to freedom of expression and Article 9 is the source of the right to freedom of religion.

## ARTICLE 9

### Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

## ARTICLE 10

### Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.
2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

[http://www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf)

In a case brought before the High Court, a leading judge described the extent of the freedom provided by Article 10 of the ECHR:

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.<sup>2</sup>

Indeed, Baroness Onora O’Neill of Bengarve, the former head of the Equality and Human Rights Commission (EHRC), has noted that there is no right not to be offended. Such a right would be at odds with the right to freedom of expression:

Our legislation, I think correctly, does not restrict freedom of expression merely because some speech act offends some others, or even offends some of them gravely. Any supposed right not to be offended would founder on the fact that offensiveness is subjective, and would put others’ freedom of expression wholly at the mercy of the sensibilities of possible audiences.<sup>3</sup>

Christians should be reassured that the commitment of the law to freedom of speech and freedom of religion is as strong as it has ever been. It is a jealously guarded principle. And that principle applies not only to speech and printed materials but to modern forms of electronic communication. Overturning the judgment of a lower court which had censored a Twitter message, the High Court recently explained:

Satirical, iconoclastic, or rude comment, the expression of unpopular or unfashionable opinion about serious or trivial matters, banter or humour, even if distasteful to some or painful to those subjected to it should and no doubt will continue at their customary level, quite undiminished by this legislation.<sup>4</sup>

*Christians should be reassured that the commitment of the law to freedom of speech and freedom of religion is as strong as it has ever been. It is a jealously guarded principle.*

In a case of an open letter published by a church in a newspaper, similarly robust protection has been given by the court to the expression of a Christian

viewpoint. Here, the High Court in Northern Ireland recognised that some people might be offended by the passages of the Bible that had been quoted in the advert but stated that “Article 10 protects expressive rights which offend shock or disturb”.<sup>5</sup> The same judgment re-affirmed the freedom to use, publicly, texts from the Bible:

If the applicant is prohibited or materially inhibited in the advertisement, from articulating their religious conviction and call to bear witness by reference to the very scripture that underpins it, that restriction, from their perspective, can appear like a form of censorship.

In another example of the security provided to those who wish to speak publically about their faith, The Public Order Act 1986 was amended in 2014 to provide greater protection for freedom of speech by removing the word “insulting” from Section 5 (using threatening and abusive language or behaviour likely to cause harassment or distress). It also includes an explicit free speech clause which outlines that the offence of hatred on the grounds of sexual orientation does not prohibit or restrict “proselytising or urging adherents of a different religion or belief system to cease practising their religion or belief system”.

There are other laws (statutes) and cases which affect the issue of the freedom of Christians to speak about Jesus Christ or issues affecting our Christian beliefs in different scenarios, but the various provisions set out above give a flavour of the protection that exists. That is not to say that there are no restrictions or limitations, and some of the qualifications which exist are outlined in what follows in this resource.

Of course, the existence of legal protections does not guarantee that a Christian will never suffer punishment for speaking about their faith. In some, rare, cases where a Christian is penalised in some way for speaking about Jesus, the law will offer no protection. This has some similarities with the position faced by the early Church – on occasion the apostle Paul’s legal status as a Roman citizen allowed him to walk free, but sometimes his citizenship was not enough to save him from punishment for sharing the good news.

This resource is intended in part to encourage Christians not to be paralysed by a fear of the rare cases where Christians are sanctioned for sharing their faith. It is right to acknowledge that such cases do happen, and where appropriate there are a number of Christian organisations at hand to provide support. But in general Christians should not be deterred by such cases. We should continue to share our faith boldly. Not least because, the more common it is for Christians to wisely and lovingly speak or write about the message of the gospel, the more it will be an accepted and uncontroversial part of British life.





# What is freedom to speak?

At the heart of Christianity is the desire to share the good news of Jesus Christ, and we are called to always be ready to “give the reason for the hope [we] have” (1 Peter 3:15). We believe that it is the Holy Spirit who does the work of conversion, but it is through our willingness to share our faith that men and women are free to decide what they will believe.

This freedom to speak about those things which are most important to us is fundamental to our way of life. Whether it is our faith, our political beliefs or even our hobby or sport, our society recognises that allowing people to speak about these things is a vital sign of a healthy democracy. Indeed, it is enshrined in the Universal Declaration of Human Rights (UDHR). As free citizens we not only have the right to freedom of thought, conscience and religion, but we also have the right to manifest those beliefs and opinions.

*“A Christian is either a missionary or an imposter.”*

Charles H Spurgeon

In addition, we have the right to freedom of opinion and expression of those beliefs without interference and we are able to seek, receive and impart information and ideas through any media and regardless of frontiers.

Crucially, from this all people are free to change their faith, belief or opinion – a right that is also upheld in the UDHR. It follows, therefore, that people must be free to seek to persuade others to change their religion. Having the ability to do this demonstrates in a very tangible way that we are living in a free society which values the dignity of the person to make free decisions on the worldview they hold. As Christians we are free to share with others our faith in Christ and share about the difference that finding his saving grace makes. We believe that the gospel has important things to say to all areas of life but our imperative is to give all the opportunity to respond to the gospel and the claims of Christ.



# Sharing the gospel in private spaces

## WHAT CAN I SAY IN CHURCH?

There is an almost unlimited freedom to speak about all Christian matters from the pulpit. However hard-hitting or provocative, Christians are entitled to talk about and share their faith in church. The only potential limits provided by the law (primarily to prevent speech which incites violence) are very unlikely to ever apply to the ordinary activities of a Bible-believing church. The Article 9 right to freedom of religion and Article 10 freedom of expression apply with great strength to prevent any censorship of a church. This is illustrated by the case of James McConnell,<sup>1</sup> a pastor from Northern Ireland who was charged with broadcasting a grossly offensive electronic communication when his sermon about Islam was streamed over the internet:

Pastor McConnell preached a sermon in which he said: "Islam is heathen. Islam is satanic. Islam is a doctrine spawned in hell." His sermon was streamed over the internet and was therefore subject to legislation which covers anything distributed over a "public electronic communication system," i.e. through forms like podcast, livestream or YouTube. An offence is committed if a 'grossly offensive' message is broadcast. The judge found the words above were grossly offensive, but the prosecution had conceded that these words were protected by the defendant's rights to freedom of thought, conscience and religion and freedom of expression under Articles 9 and 10. The judge found that other comments by the pastor about mistrusting Muslims were not covered by Articles 9 and 10 but concluded that while such comments were offensive, they were not grossly offensive and so the pastor was ultimately acquitted. However, the case is a reminder of the need to be wise in what we say and how we say it.

Such a case provides a good reminder of the responsibilities on pastors and preachers to be uncompromising in their witness but also to avoid using unnecessarily inflammatory language that will distract from the gospel. Ministers and churches must exercise more caution when broadcasting material in any form. The judge in this case gave some salutary advice when challenging false doctrines, not to attack people or groups. He also cautioned against using language which stereotypes other religions. The judge invited Mr McConnell to reflect on what reaction would have occurred if the language he had used to describe Islam and Muslims had been used to describe Jesus and the Christian faith.

## ARE THERE ANY RESTRICTIONS ON WHAT I CAN SAY IN MY HOME?

An Englishman's home is his castle, and that mentality applies to the freedom which the law provides to speak freely in your own house<sup>2</sup>.

Leading a Bible study group or a course based on the Bible from your home or witnessing to people under your own roof will not face any restrictions.

Technically, the provisions of the Public Order Act 1986 do apply to words or behaviour in a private dwelling as well as words or behaviour in public. For that reason, the principles discussed below, in the section on 'Sharing the gospel in public', are relevant. However, reflecting the fact that the right to freedom of speech in the home is paramount, there are additional exceptions and defences in the Public Order Act which mean that something which would be an offence if stated in public may not be unlawful if stated in the home.

For example, under section 4A of the Public Order Act 1986 even if something would have been unlawful if said in public, it would not be unlawful to say it if both speaker and hearer are inside a home. It is also a defence if the words were spoken inside a home and the speaker had no reason to believe that anyone outside the home would hear them. Similar protections exist to prevent Section 5 and Section 29B being used to silence people who wish to speak freely about God in their homes. Christians should feel completely free to share the message of Jesus in a loving and forthright way in their homes. See more on the Public Order Act below on pages 42-49.

## WHAT CAN I SAY IN SOMEONE ELSE'S HOME?

The same considerations apply to someone else's home as your own. However, where you have been invited into someone else's home and are there as a guest, the privilege and blessing of another person's hospitality brings with it added responsibility to behave sensitively and thoughtfully when taking any opportunity to share the gospel. Sometimes you may have been explicitly asked to share what you believe – for example you have knocked on the door and asked if they know about your church or faith. If you are invited to share more do so, with gentleness and respect. It hopefully goes without saying that a Christian will always respect someone's wishes if you are asked to leave or the person says that they are not interested. More information about sharing the gospel in the neighbourhood can be found from page 39.

## WHAT CAN I SAY ON PRIVATE PROPERTY?

Private property is most easily recognised as any place which is owned by someone or some organisation that is non-governmental. This could include for example a shopping centre or private function room, a hotel room or a church hall. Where the private property in question belongs to a Christian or Christian organisation, the same principles considered in the above sections on church and your own home will apply and it is hard to envisage any restrictions at all on discussing or sharing of your faith.

However, where a commercial venue, such as a hotel or conference centre, is hired for the purposes of a Christian meeting, it is conceivable that issues may arise with regard to freedom of expression. For example, one Christian organisation, Christian Concern, holding a marriage seminar found its booking withdrawn, ironically because of concern from the conference centre that it would breach their diversity policy.<sup>3</sup> Such cases will be rare and the positive resolution of that particular example should be of encouragement to Christians who wish to use private venues: in a joint public statement the government, the conference centre and Christian Concern reaffirmed the principles of religious freedom and freedom of expression, stating:

We live in a multi-faith society with a deep Christian ethos. The government reaffirms its commitment to the long-standing British liberties of freedom of religion, freedom of speech and freedom of association with mutual respect for the dignity and rights and freedoms of others, including the right of Christian Concern to debate their views.

The Centre confirms that there was no intention to discriminate against Christian Concern. Going forward, the Centre is happy to work closely with Christian Concern to stage a future event about marriage or other issue of interest.<sup>4</sup>

*It is unlawful for a private venue to discriminate against Christians by refusing to offer its services or by offering its services on less favourable terms than it would offer them to non-Christians.*

In fact, under Part 3 of the Equality Act 2010 it is unlawful for a private venue to discriminate against Christians by refusing to offer its services or by offering its services on less favourable terms than it would offer them to non-Christians. So a conference facility could not agree to hire a room to a church on condition that the church refrained from discussing controversial topics on the premises if a similar rule was not imposed on others. Even if a similar rule was imposed on others it might still amount to unlawful indirect discrimination to try and restrict Christians from speaking about their faith (for an explanation of indirect discrimination see the introduction to 'Sharing the gospel at work' on page 26). Where a private venue does seek to censor a Christian group it will often be the case that sitting down with the manager of the venue and discussing constructively what the group really intends to speak about will clear up any misconceptions. If that fails, it may then be necessary to refer to the legal prohibition on a venue discriminating against Christians.

Statutory authorities may be thought to be particularly reluctant to allow their premises to be used by Christian groups to hold events in which they share their faith. However, local authorities are under even stronger obligations than owners of private property to ensure they do not discriminate against Christians. Councils and those exercising public functions are bound by the public sector equality duty found in Section 149 of the Equality Act 2010.



# Sharing the gospel at work

## IS THE WORKPLACE A PLACE FOR THE GOSPEL?

The modern workplace is a forum where people from various backgrounds and with various beliefs all work together. Where we work can provide wonderful opportunities to share our faith with colleagues. A recent decision of the European Court of Human Rights (ECtHR) affirmed the importance of the freedom to speak about faith in the workplace. The Court referred to “the value to an individual who has made religion a central tenet of his or her life to be able to communicate that belief to others.”

*Where we work can provide wonderful opportunities to share our faith with colleagues.*

This decision of the ECtHR relied on the Convention rights which are addressed in 'What does the law say?' (see page 15). Both the Article 9 right to freedom of thought, conscience and religion, and the Article 10 right to freedom of expression apply in the workplace. Thus legal protection exists for holding Christian beliefs and manifesting those beliefs at work. However, the right to manifest beliefs is “qualified”, meaning that the expression of religious belief may be limited in certain circumstances.

Anyone reading the headlines could be excused for thinking that Christians cannot share their faith at work. This is mistaken. In the vast majority of cases, employers will have little problem with Christian employees sensitively discussing Jesus and religious issues with workmates in the same way that you might talk about sport, hobbies and family life. Across the country every day many prayer meetings and Bible studies take place at work, often with facilities provided by the employer. Innumerable lively debates and discussions about Jesus Christ also take place during lunch times, over a coffee or after work. An employer's desire is to ensure that all their employees work well together. Giving employees freedoms in the workplace, including the

freedom to communicate what they believe, helps with wellbeing and can ensure a happier, better-performing workforce.

While there are cases of people being disciplined or dismissed for sharing their faith, these are rare and, for various reasons, the full facts are not always accurately reported.

That being said, there is no doubt that sharing your faith at work calls for wisdom and consideration. If done aggressively or in circumstances where a colleague has made it clear they do not wish to participate, an employer may rightly take objection and, in rare cases, disciplinary processes and even dismissal could result. There are therefore circumstances and contexts in which identical conversations could be acceptable in one workplace but unacceptable in another. The principles set out below should help to ensure that sharing the gospel is done in a responsible and effective way.

Employees may wish to look at an employer's handbook for any relevant policies, such as 'equal opportunities', 'diversity', 'disciplinary' and 'harassment' policies. Reading those may help clarify the standards expected by an employer. Employees may also want to look at external workplace guidance. ACAS has produced a guide on *Religion or Belief and the Workplace* (the current edition is March 2014). The Equality and Human Rights Commission (EHRC) has also produced *Religion or belief in the workplace: a guide for employers following recent European Court of Human Rights Judgments* (2013) and *Freedom of Expression* guidance (2015).<sup>2</sup> The ACAS Guide and the EHRC Guides are not legally binding but are of persuasive value to those interpreting the law.

The Equality Act 2010 is also relevant. This contains sections addressing the workplace and provides various strands of protection for Christian employees, among others:

- Direct discrimination – under the Equality Act 2010, a policy that prevents only Christians, for example, from talking about their faith in the workplace would be unlawful.
- Indirect discrimination – a policy aimed at preventing anyone from talking about matters of faith in the workplace would probably be unlawful under

the Equality Act 2010. While such a policy does not single out Christians or someone of another faith, it puts them at a particular disadvantage when compared with those of no faith in that a Christian would be more greatly impacted by not being able to share about key areas of his or her life. Indirect discrimination is lawful if it is 'objectively justifiable', requiring the employer to demonstrate that the policy had a legitimate aim and was a proportionate way of achieving that aim.

- Harassment – unwanted conduct that is related to a protected characteristic, such as religious beliefs, and which violates dignity or creates a working environment that is intimidating, hostile, degrading, humiliating or offensive, is unlawful, for example shunning a Christian colleague because of their faith.

Of course, while these provisions protect a Christian's rights, it is important that Christians remember that they in turn are bound by the same restrictions. While a Christian may feel that his or her colleagues' constant swearing and blaspheming constitutes harassment, a non-Christian may invoke the same principle against a Christian who is insulting of their or other religious beliefs.

## WHAT CAN I SAY AT WORK AND HOW SHOULD I SAY IT?

Some basic principles to consider:

### Remember what you're there for

Sharing your faith should not be done at the expense of working. You are employed to do your duties, not to share your faith. This accords with biblical teaching that we should respect those who work hard.<sup>3</sup> Christian witness is not just about what we say to our colleagues. It is also about the way we work, and what our actions say to our employer, employees and colleagues. By working diligently and in a manner that would be pleasing to God, our witness will have more credibility when opportunities to share about Jesus arise.

**Pray**

Before proceeding with sharing your faith it's always wise to ask God for wisdom, guidance, words, opportunities etc. Are you praying for your colleagues, clients, customers before speaking to them about Jesus? Are you praying during your conversations and after?

**Choose your time and place**

The more removed a conversation is from the workplace, the less concern it is for an employer. Therefore, you may want to suggest carrying on a conversation outside working hours and outside the workplace.

**Don't abuse your authority**

Abusing power is unbiblical, and is unacceptable in any environment. If you are in a position of authority over the person you are speaking with, you need to avoid abusing that authority. Consider differences in workplace status and the potential vulnerability of your colleague. Checking that a person is happy to engage in/continue with a potentially unwelcome conversation may be wise. If the conversation develops over time it is also useful to periodically check that the person is still happy discussing such matters and to reassure them that it is fine for them to end the conversation when and if they want to. We should never coerce others into sharing our beliefs.

The EHRC Guide advises: employers may be justified in limiting the freedom of employees in promoting their beliefs at work, when this involves someone in a powerful position acting inappropriately towards someone in a vulnerable or subordinate position.<sup>4</sup>

Although "promoting" a belief indicates going beyond simply being open about your faith,<sup>5</sup> sharing your faith at work to any degree requires an exercise of good judgment, and the more you are in authority the greater judgement you can be expected to demonstrate.

**Offer Christian opinions**

Religious beliefs have protection that other beliefs do not. If you are expressing an opinion that is informed by your Christian beliefs, you have greater legal protection than if it is simply expressed as your opinion on a topic. This is, therefore, a good reason not to be shy about stating how your faith informs your opinions.

**Be gentle**

An opinion expressed temperately will be better received and more difficult to criticise. The Christian message is not one of argumentative provocation but one of loving challenge. As Timothy and Paul said: “We should let our gentleness be evident to all<sup>6</sup>.” Even a sceptical employer will be hard pushed to criticise a message about Jesus that has been delivered in a moderate tone of voice using non-condemnatory language.

**Seek to share and discuss rather than lecture**

A dialogue is less likely to cause an issue than a monologue, confrontation or argument. So rather than stating your opinion without a reference point for that view, put it in context – help them understand how and why you reached your conclusion, share your personal testimony and let them ask questions.

Asking questions rather than expressing opinions will help maintain a discussion, and allows a person to choose whether or not to participate. It is unlikely that we will ever brow-beat someone into giving their life to Christ. Do not expect to have answers to everything, either. Answering a question from an unbeliever with another question is very Christ-like and stops us always feeling like we’re defending our faith. So, if we want to be effective in sharing our faith at work it will often be wise to use considered questions to lead someone to think about their own need for salvation through Jesus.

**Avoid passing judgment on others**

Christians are called to speak the truth and not be ashamed of our faith. However, be wise about how you express the Bible's teaching concerning peoples' behaviour and be careful not to be perceived as judging them personally. In today's world people may more easily misunderstand or take offence so sensitivity is appropriate.

You may be less open to criticism if you express something as a personal view or put it in a wider context. For example, by saying "most Christians believe that..." or "as a Christian, I believe that..." or "the Bible says that..." rather than stating something condemnatory as a bold fact. For example, contrast saying "You are a sinner!" with "The Bible says in Romans 3:23 that all have sinned and fallen short of the glory of God, and the sin I really struggle with is my pride...". Remember, only God knows the hearts of men and women and only He has all authority to judge them, so pray for words of "compassion, kindness, humility, gentleness and patience" (Colossians 3:12).

**Develop good habits**

Foster a culture of conversation about faith. The more such discussions are commonplace, the less it will be felt to be 'wrong'. Ongoing natural discussions are better than forced, isolated occasions.

**Offer prayer sensitively**

There are different ways of handling this but sensitivity is crucial. Gently suggesting that you will be thinking and praying for someone may be less likely to cause an issue than asking someone if they would be happy for you to pray for them there and then, but it will not be as strong a witness. As in all such circumstances context is important. In some circumstances, so as not to overstep normal workplace boundaries, it may be more appropriate to make offers to pray when you are outside the work environment.

### Respect your colleagues' wishes

If a colleague makes it clear that faith discussions are unwelcome, they should not be pursued with that individual, nor should that individual be treated unfavourably by you as a result of their stance. To do otherwise could amount to harassment or unlawful discrimination.

The model of the early disciples is a good one: they spent as long as was necessary with those people who were open to hearing the good news but when people showed they were not open to it, the disciples would move on to the next town (to find someone who was open) rather than direct their energies towards arguments that were not going to bear fruit. Of course, you will need to continue to interact with colleagues, and a colleague who has shown themselves closed to discussion about Jesus should be respected and shown continued and even greater kindness and love by Christian employees, not least in the hope that they will “see your good deeds and give thanks to your Father in heaven” (Matthew 5:16).

### Proceed wisely

If pursuing a particular discussion about religion is obviously unwelcome, then, whether or not the person has directly said it would be unwelcome, there is a risk it will amount to unlawful harassment.

Similarly, do not bombard someone with tracts or e-mails about Christianity if they have indicated such communications would not be welcome. On the other hand, if a colleague is happy to be invited along to church meetings or to receive e-mails and literature about Christianity then you should not be put off from doing so. This is provided that you follow the other principles set out above, such as the need to comply with your employer's e-mail policy about what materials can be sent from a work e-mail address, and the need to devote your working hours to performance of your job.

A conversation may be unwelcome, even if this is not apparent from a person's body language. It is important to be sensitive to that possibility so, if in doubt, ask.

**Treat others as you would have them treat you**

Please ensure that the same respect you would wish to be afforded to you and your Christian faith, you afford to others and their faith (or indeed lack of faith). You cannot expect an employer to give preferential treatment to the Christian faith in a diverse workplace or to deny your colleagues the same workplace rights and freedoms that you enjoy.

**Do what you can**

There is no substitute for telling others about God's salvation plan for them, but there will be particular times and workplaces where this may not be possible or wise. Continue to pray for opportunities and, while waiting for them, let your Christ-like actions and attitudes continue. If you can continue to be salt and light by your actions, you are laying a stronger foundation for your verbal witness when that God-given opportunity arises.

**WHAT ABOUT HARASSMENT?**

As explained above (at page 27), harassment is defined in the Equality Act 2010 as unwanted conduct that is related to a protected characteristic, such as religious beliefs, and which violates dignity or creates a working environment that is intimidating, hostile, degrading, humiliating or offensive. Harassment law does not just protect Christians, it protects people from being harassed in relation to other faiths (and no faith), sex, transgender identity and sexual orientation. For this reason, employers are justified in limiting unwelcome behaviour that relates to those things. The EHRC Guide 2013 confirms that:

Employees may assert the right to discuss their personal beliefs in the workplace and employers should not prevent such conversations, unless to do so is a proportionate means of achieving a legitimate aim; for example, if the conversations amount to harassment of other people.<sup>7</sup>

The current ACAS Guide also advises:

Be aware that if your employees preach to other staff or to customers, this could cause offence to those who hold different beliefs or no beliefs, and may in some circumstances constitute harassment.<sup>8</sup>

The 2005 version of the ACAS Guide advised that: “If harassment has been explained to staff they should be able to distinguish between reasonable discussion and offensive behaviour.”<sup>9</sup>

## SHOULD I KEEP CLEAR OF CONTROVERSIAL ISSUES?

In contrast to Christians who believe God’s nature and law does not change, for others morals, values and ethics can change, perhaps following trends in society or as a result of events or politics. So, what is deemed controversial by one generation may be perfectly acceptable to another.

The more controversial the issue being discussed the more risk there is of it creating problems. The ECHR Guide 2015 confirms that “speech that is intended to inform rather than offend attracts greater protection” and that “the right to freedom of expression does not protect expression which seeks to incite violence, hatred or discrimination against others”<sup>10</sup>.

Things that to you may be normal, might be heard differently by others, especially in an age where people may have less interaction with Christians and greater religious illiteracy. In a recent case that fortunately did not end up in court, a discussion by a Christian on the subject of hell and judgement was perceived to be a death threat and led to a police investigation.

Christians do not have to shun all controversy, but need to be wise. If a colleague has asked your view on controversial matters, then it will be much easier to justify to an employer why you started talking about such matters, but you still need to answer in an appropriate way. In most circumstances it may be wiser to steer conversations away from controversy and toward personal testimony, given that we are seeking to lead people to Christ. There is also a need to be aware that some people may have negative or hostile motives, wanting to trap or draw you into saying something you can then be criticised for.

Where a question is asked about a controversial topic you may find it helpful to explain why you hold the views you do, explaining your Christian faith and the journey that led you to where you are now. Personal testimony can be

a powerful means of sharing your faith. Your colleagues may well find your story more relevant and interesting than bold expressions of your conclusion on a matter. Asking them questions about the views they hold and why are also helpful in understanding their perspective.

Personalising the gospel also makes it harder for those who are seeking opportunity to criticise you to do so. Remember, this may be the first opportunity the person you are speaking to has ever had to hear the gospel, so you will want to use the opportunity and privilege wisely.

## CAN I SHARE MY FAITH WITH CUSTOMERS AND CLIENTS?

Particular care needs to be taken when discussing Christian beliefs during work time with customers or clients. While a client or customer who initiates a conversation about religion may provide a wonderful and legitimate opportunity to share your faith, employers can understandably be very sensitive about this, especially if a complaint is received. Most of the principles listed above will be applicable when considering whether and how to speak to your employer's customers and clients. Those who are self-employed or own their own business have more freedom to engage in conversation as they are the employer. It is important to remember that our work is an act of worship and service to God, which we engage in while respecting our employer and discharging our professional responsibility to the customer or client.

## WHAT IF MY EMPLOYER INSISTS ON A POLICY OF LIMITING FREE SPEECH?

Some employers may have a policy specifically forbidding discussions about faith, although this is rare. The 2005 version of the ACAS Guide advised that "a ban on discussions about [Christianity] may create more bad feeling amongst staff and cause more problems than it solves"<sup>11</sup>. If your workplace does ban such discussion, or is considering banning it, you could explain to your employer that an inability to discuss Christianity in the workplace is going to be conducive to a lack of understanding about the Christian faith and may cause problems to arise through ignorance. For example, there may be an increased likelihood of language and conduct likely to unintentionally offend

Christians if employees are unaware of what Christians believe and what will cause them offence.

A blanket ban, for example forbidding any discussion about faith, may also be indirectly discriminatory, unless the ban has a legitimate aim and is proportionate. There may be circumstances where it is appropriate to ask an individual to avoid talking about their faith, for example if there have been justifiable complaints from colleagues about them promoting their beliefs in an unwelcome manner. However, it will be harder to justify a policy that singles out a particular faith or bans all employees from talking about their faith.

If an employer refuses to relent and applies a policy restricting the freedom to discuss your faith at work, this may be open to challenge. It has been recognised by the European Court

*It has been recognised by the European Court of Human Rights that the right of a Christian to convey their faith to others can outweigh policies limiting it.*

of Human Rights that the right of a Christian to convey their faith to others can outweigh policies limiting it. In *Eweida v UK*, the Court balanced “the value to an individual who has made religion a central tenet of his or her life to be able to communicate that belief to others” against the employer’s reasons for curtailing it. They concluded that Ms Eweida’s employer got it wrong when they temporarily prevented her from expressing her Christian faith (by wearing a cross) in pursuance of a corporate dress code. Circumstances, context and facts, including in particular any detrimental impact expressing your faith causes others, will all influence this balancing exercise. So in *Chaplin v UK* the European Court of Human Rights held that the balance came down in favour of the employer rather than Ms Chaplin, a nurse who was prevented from wearing a crucifix necklace with her uniform.

## WHAT IF I AM BOUND BY PROFESSIONAL GUIDELINES?

For some workplaces and professions certain guidelines about faith issues are given to employees. For example, those who work in medicine, law, education

and counselling, because of the nature of their working role, have guidance on these issues. Generally speaking, professional guidelines oblige their members to act in a way that would not diminish public trust and confidence in their chosen profession. This duty also applies to conduct outside the workplace. Where an individual's chosen profession causes them to regularly act in a public or quasi-legal capacity, great care should be taken in considering the potential legal and/or professional consequences of any personal behaviour including social media comments. For more detailed help in these areas employees should approach their relevant professional body.

## WHAT DO I DO IF I BECOME AWARE OF AN ISSUE BETWEEN ME AND MY EMPLOYER?

If an issue arises, it helps to have good written records of what has happened. Consider having someone come with you to meetings to take notes. It may be wise to seek legal advice and support at an early stage. You may be able to get some assistance from unions, ACAS and Citizens Advice Bureaux. The Lawyers' Christian Fellowship and the Law Society both have online "find a solicitor" functions to help you find someone in your area who may be able to help.

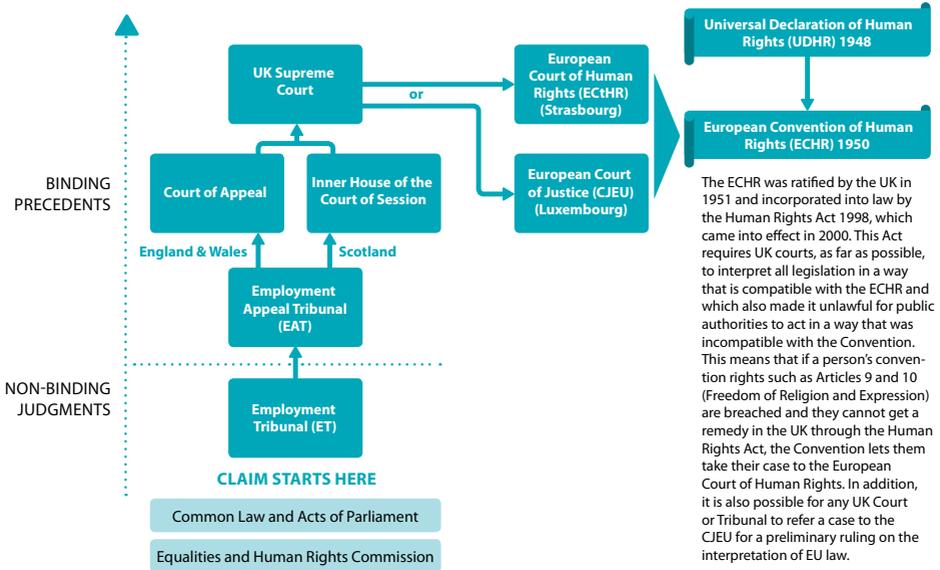
It is best to always seek to resolve any issues amicably and without the need of the court where at all possible. We should not enter into litigation lightly, but there are times when it may be appropriate to take formal legal steps, including issuing legal proceedings. It would be wise to get legal advice before doing so. Alternatives to litigation include mediation and arbitration, something the organisation ACAS may be able to assist with. The charts on the following page illustrate the legal process available to you in England, Wales and Scotland, and in Northern Ireland.

## CAN I BE REQUIRED TO SAY OR DO SOMETHING BY MY EMPLOYER THAT CONFLICTS WITH MY FAITH?

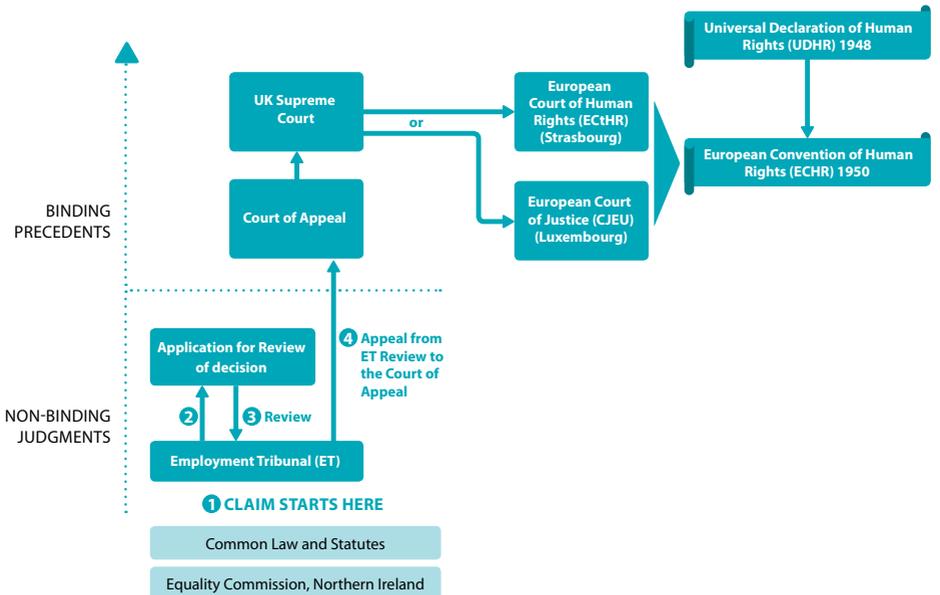
There are separate laws protecting people who are asked to do something illegal, but let's consider if you are asked to do something legal, but that conflicts with your conscience. If the reason you are asked is because of your

# THE JOURNEY OF AN EMPLOYMENT CLAIM

England, Wales and Scotland



## Northern Ireland



Christian faith, that would be directly discriminatory and unlawful. If your faith is incidental to the request, but your faith makes it more difficult for you to do it, it will be indirectly discriminatory and unlawful unless there is a legitimate aim behind the request and the request is a proportionate means of achieving that aim.

A sensible starting point is to temperately explain to your employer the problem caused. Following the guidance above, you may have greater legal protection if when doing so you explain why your Christian faith is relevant to this. It is normally sensible to provide something in writing (to reduce the risk of being misunderstood or misrepresented). If the employer has policies that are relevant, for example a statement that affirms respect for religious beliefs, then flag those up. Employees have recourse to raising formal grievances about their treatment with their employer.

To give the best impression to an employer, try to be constructive and identify a solution, for example, is there a colleague who is willing to do this particular task for you?

## CONCLUSION ABOUT WORKPLACE ISSUES

The EHRC Guide 2013 notes that "It is in the interests of all parties to try to find reasonable solutions through discussion, mutual respect and, where practical, mutual accommodation."<sup>12</sup> It will be helpful to be seen as someone who is constructively trying to achieve this, when and if issues arise, rather than someone who could be perceived as disruptive and disrespectful of the feelings of others and of your employer's policies and guidance.





# Sharing the gospel in public

## WHAT CAN I SAY ON THE STREET?

There is a well-established freedom, protected by UK law, to preach on a public street. The same principles which apply to street preaching also apply to other forms of public ministry such as local missions. The freedom to speak about faith in the Lord Jesus and the good news of the gospel in public is not enjoyed by all Christians around the world and it is therefore a freedom to be particularly cherished.

As AP Herbert, MP and law reform activist pointed out, “A liberty is only as real as the laws and bylaws which negate or limit it”.<sup>1</sup> The purpose of this section of the resource is therefore to examine some of the laws which can affect public ministry and ensure this freedom is properly understood. While much of what follows is applicable across the UK, Scotland also has specific laws that apply to public preaching. These are outlined in the section ‘Public Order Offences in Scotland’, below at page 45.

The right to preach in public is protected by Article 10 of the European Convention on Human Rights which contains the right to freedom of expression (for more on Article 10 please see ‘What does the law say?’ at page 15). Although Article 10 is not an unqualified freedom, freedom of expression is jealously guarded by European and domestic law and witnessing to the Christian faith in public falls within this protection. Article 9 of the European Convention contains the right to freedom of religion, but in relation to street preaching Article 9 adds little if anything to the protection afforded by Article 10.

*The freedom to speak about faith in the Lord Jesus and the good news of the gospel in public is not enjoyed by all Christians around the world and it is therefore a freedom to be particularly cherished.*

Because witnessing in a public area is a lawful activity, you do not have to obtain permission from anybody to do it. However, if there is any doubt it is wise to check that you are in a public place and not on someone else's land (where you might be trespassing) before preaching. For example, the land around shopping centres which may appear to be a public street can sometimes be part of the development's private land (which you can check by consulting your local authority). Of course, a polite request to preach without amplification from a position which will not inhibit the passing of pedestrians may well be received positively by a shopping centre or similar facility. With permission, private land can also be used as a base for street preaching or a local mission.

If you are preaching in public parks it is worth checking the bylaws which can be found at the entrance to confirm that there is no bylaw against it. You will find certain demarcated areas for preaching in some areas of London like Tower Hill and Hyde Park. Breaching bylaws can lead to civil penalties (such as a fine) being imposed, but you cannot be arrested only for breaching them or even for trespassing on private land. Do check for any relevant permission or licences that may be required.

## WHAT ABOUT MISSIONS?

Beach missions, Christian holiday clubs, tent missions and Christian camps happen across the country, especially during the school holidays, bringing many benefits. These fun activities, involving games, singing and the opportunity to hear about the Lord Jesus, are welcomed by local communities and councils and protected by law too. However, be aware that certain secularist groups and individuals actively seek to ban the expression of religion in public spaces. For those whose activities take place on council owned property – such as beaches and common land – the same guidelines apply as to street preaching. Maintain a good relationship with the local council and make them aware of what you are doing.

## WHAT ABOUT FREE SPEECH IN UNIVERSITIES?

Students bringing the gospel to their fellow students has been and continues to be an important element of university life. The sharing of ideas and

opinions including those of the Christian faith is crucial to the holistic nature of these learning environments. While there has recently been some concern that freedom of speech might be curtailed by the imposition of new legislation in connection with the control of 'extremism', freedom of speech remains protected on university campuses and hopefully will continue to be. Universities and Colleges Christian Fellowship (UCCF) and ministries such as Fusion are well placed to answer any specific initial questions regarding any associated campus issues.

## IS IT OK TO TALK ABOUT JESUS EVEN IF IT OFFENDS SOMEONE?

The scope of the freedom to preach in public was captured by Lord Justice Sedley, a leading judge, in a case where he described that:

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. What Speaker's Corner (where the law applies as fully as anywhere else) demonstrates is the tolerance which is both extended by the law to opinion of every kind and expected by the law in the conduct of those who disagree, even strongly, with what they hear.<sup>2</sup>

In the same case Lord Justice Sedley made it clear that preaching about morality, God and the Bible is included within this broad ambit of protected speech.

Sharing the message of Christianity may provoke very different reactions in different people. Just as in the parable of the sower, some seeds will fall on fertile soil and some on rocky ground. Preaching the gospel in public, even handing out tracts, may be met with indifference, hostility, anger or indignation by some, but with gratitude by others.

It is very important to understand that the law does not entitle a street preacher to be silenced simply because someone listening is offended or upset. An atheist or agnostic may be incensed by the message of a street preacher, but it does not follow that the angrier they are the more they are

entitled to demand you be censored. In one sense, the opposite is true. As explained in the extract above, the protection of freedom of speech only assumes importance when speech is considered contentious or provocative. This is not to encourage provocative preaching over a gentler approach. Remember, most of Jesus' hard words were reserved for the hypocritical religious hierarchy. To the crowds of non-believers Jesus met, his approach was

*In seeking to reach people for Jesus through public ministry we will want to seek to be winsome and loving.*

often intriguing, questioning, compassionate and patient. It follows that in seeking to reach people for Jesus through public ministry we will want to seek to be winsome and loving.

Although freedom to preach cannot be limited just because a listener feels offended by it, where public evangelism is greeted with hostility and provocation it would be wise to consider how effective it is for the kingdom of God to continue preaching in that way and in that place at that time. On occasions, continuing to speak boldly and undeterred will be the right thing to do. On other occasions varying the tone of what is being said or offering to have a more private discussion with the bystanders may be the most Christ-like response. Haranguing people is obviously to be avoided. Always remember the context you are in, the relevance of what you are speaking about from the Bible and what will most glorify the Lord's name in each particular circumstance.

*Always remember the context you are in, the relevance of what you are speaking about from the Bible and what will most glorify the Lord's name in each particular circumstance.*

## HOW SHOULD I SPEAK IN PUBLIC SPACES?

A change in the law in 2014 strengthened the freedom for Christians to witness in public. Prior to 2014, under Section 5 of the Public Order Act 1986 it was a criminal offence to use "insulting words or behaviour" within the hearing or sight of a person likely to be caused harassment, alarm or distress. The trouble for the law and the courts was that what might be interpreted as "insulting words and behaviour" by one person might not be for another, and as such it led

to the risk of people trying to stir up problems for Christians, for example by telling the police that they felt insulted simply by hearing the gospel shared in public.

The government recognised the problems and conflicts this might cause and in 2014 the "insulting" test was replaced in Section 5. It will now only be a criminal offence if a street preacher can be said to have used "threatening or abusive" words or behaviour and it can be proven that the preacher also had an intention to cause someone "harassment, alarm or distress". So, providing a Christian witnessing on the streets has a loving intention to see people come to a knowledge of Jesus, rather than to cause harassment, alarm or distress, the Public Order Act will be of no application in relation to what you say. And it is only if the approach taken to evangelism is so aggressive and intemperate that it amounts to threatening or abusive behaviour that Section 5 could be triggered. Such occasions will and should be extremely rare.

## POINTS TO CONSIDER:

### What are you criticising?

Where preaching in public slides towards criticism of another person's faith or sexual orientation there is a greater likelihood of attempts being made to limit that freedom to preach. This is reflected in the Public Order Act, which contains a specific criminal offence (Section 29B) of intentionally stirring up religious hatred (this could also include stirring up hatred against atheists) or hatred on the grounds of sexual orientation. 'Sexual orientation' is defined as orientation towards persons of the same sex, the opposite sex or both. Thus the Section does not extend to particular sexual acts, as opposed to a person's 'orientation'.

### What is your intention?

Intention is the key issue here. A Christian following the teaching of the Bible to share the gospel, not to stir up hatred but in order to encourage faith in Jesus Christ, will not be acting unlawfully. On the other hand, the law distinguishes between intention and motivation: someone who uses vile and

hateful words which will obviously stir up hatred is unlikely to defend themselves successfully against prosecution simply by indicating that they were actually 'motivated by love' in what they were saying. The context in which you are speaking will also be important to consider.

Any Christians sharing the word of God in a public space will want to be guided by the great commandment to "love your neighbour as yourself". Even with the best motivation a street preacher may not be acting with biblical wisdom – or indeed common sense – if they attack other religions or sexual behaviours in an aggressive or intemperate way. As Proverbs 15:18 says: "A gentle answer turns away wrath, but a harsh word stirs up anger." It is possible to be challenging and provocative without sounding censorious. Stirring up anger will rarely help someone come to know the Lord Jesus. Without suggesting a preacher be forced to change his or her style, being considerate with regard to how you are likely to be heard – often by people who are religiously illiterate – may ultimately prove more fruitful.

*"A gentle answer turns away wrath, but a harsh word stirs up anger."*  
(Proverbs 15:18)

Of course, where it is right to be forthright in speaking about other religions or sexual morality, if the tone in which this is done is reasonable and loving, Christians have robust legal protection to speak publicly on such topics.

Section 29J of the Public Order Act 1986 is a free speech clause which provides that nothing in that part of the legislation prohibits or restricts:

Discussion, criticism or expressions of antipathy, dislike, ridicule, insult or abuse of particular religions or the beliefs or practices of their adherents, or of any other belief system or the beliefs or practices of its adherents, or proselytising or urging adherents of a different religion or belief system to cease practising their religion or belief system.<sup>3</sup>

Section 29JA explains that:

For the avoidance of doubt, the discussion or criticism of sexual conduct or the urging of persons to refrain from or modify such conduct or practices shall not be taken of itself to be threatening.<sup>4</sup>

**Be sensitive to noise**

There are various legal provisions which enable local authorities to take action where noise levels from an amplified street preacher or church outreach are excessive, but it would be hoped that Christians witnessing in public would be sensitive to such complaints and avoid any need for formal intervention. Liaison with the local authority will also show good intentions, especially where the outreach may involve a number of people.

**PUBLIC ORDER OFFENCES IN SCOTLAND**

The following two laws are the main ones affecting street preachers in Scotland. In addition to these, there will be local bylaws regulating the use of amplification without a licence, which you should check before you undertake any street preaching or similar.

**Breach of the peace**

The case of *Smith v Donnelly* [2001] SCCR 800 is the leading case on the definition of breach of the peace in Scotland. In particular, it was held that “what is required to constitute the crime is conduct severe enough to cause alarm to ordinary people and threaten serious disturbance to the community.” It also states that “something substantially greater than mere irritation is involved,” adding that “what is required...is conduct which does present as genuinely alarming and disturbing, in its context, to any reasonable person”. There is therefore a two-stage test and the court has repeatedly quashed convictions where the second part of the test has not been met.

**Threatening or abusive behaviour – Section 38 of the Criminal Justice and Licensing Scotland Act 2010**

Because of the limitations inherent in the common law crime of breach of the peace a new statutory offence of Threatening or abusive behaviour was enacted in the Criminal Justice and Licensing (Scotland) Act 2010, Section 38. While it is hoped that no street preaching would objectively qualify as either threatening or abusive, you should take particular care in discussion of sensitive subjects.

Prosecuting authorities now appear to favour the use of Section 38 to tackle any sort of behaviour in the street which causes a disturbance. The boundaries are perhaps a bit clearer and it is easier for prosecutors to prove. Most behaviour which would qualify as breach of the peace would also fall within Section 38.

In terms of that section it is an offence if:

1. 'A' behaves in a threatening or abusive manner *and*
2. The behaviour would be likely to cause a reasonable person to suffer fear or alarm *and*
3. 'A' intends to cause fear or alarm or is reckless as to whether the behaviour would cause fear or alarm.

On point 2 above the test is an objective one. It does not matter that the person on the receiving end of the behaviour suffers no fear or alarm. The test is whether a reasonable person would be likely to do so. In *Mirza Baig v PF Glasgow* [2015] HCJAC 109 the matter concerned a trenchant argument between a traffic warden and a motorist who had been given a parking ticket. It was said that:

A reasonable person is someone who is not of abnormal sensitivity. If a reasonable person would have suffered fear or alarm, it follows on the objective test that it is no defence if the behaviour causes no fear or alarm to the individual complainer, who might be, for example, an intrepid Glasgow police officer.

There is a defence available under the Section that the person accused acted reasonably in the circumstances.

It doesn't matter whether the offence takes place in public or in private. The offence is punishable by a maximum of 60 days' imprisonment if prosecuted in the Justice of the Peace Court; 12 months' imprisonment on summary complaint in the Sheriff Court – that is before a Sheriff sitting without a jury – and by a maximum of five years' imprisonment on indictment.

## WHAT ABOUT USING WRITTEN MATERIALS IN PUBLIC?

During a local mission you may wish to use banners, tracts and posters. On other occasions a group from a church may simply head into the town centre to hand out leaflets advertising a service. Christians are free to do so and such written materials or images can often be a helpful and eye-catching way of reaching members of the public. The provisions of the Public Order Act 1986 discussed above do apply to situations in which a person “displays any writing, sign or other visible representation” and there is a specific offence created by Section 29C where a person publishes or distributes written material which is threatening in circumstances where they intend thereby to stir up religious hatred or hatred on the grounds of sexual orientation. However, seeking to evangelise with normal Christian banners and leaflets should not pose any difficulty.

*It is not hard for Christians to realise which verses are likely to prove more controversial and it will be for each church or individual to prayerfully consider whether using banners or tracts with such verses will help to spread the good news of Jesus Christ.*

Posters and other written materials showing Bible verses will rarely raise any legal issues, even where those verses contain strong challenges. It is not hard for Christians to realise which verses are likely to prove more controversial and it will be for each church or individual to prayerfully consider whether using banners or tracts with such verses will help to spread the good news of Jesus Christ in a particular situation. Christians will, naturally, want to consider what sort of written materials will be most effective and will most reflect the tone of Jesus’ ministry. In Mark 6:34 it describes how Jesus saw a large crowd and “had compassion on them, because they were like sheep without a shepherd”. Publications motivated by that same compassion are likely to be in line with the teaching of the Bible.

Because the Public Order Act 1986 applies to written materials it is possible that in extreme cases a Christian could risk committing an offence by their

placard, leaflets or sandwich board. To risk committing a criminal offence, that written material would have to:

- a) be shown with an intent to cause a person harassment, alarm or distress and be classed as threatening, abusive or insulting; or
- b) be threatening or abusive (whether or not there was an intention to cause harassment, alarm or distress); or
- c) be intended to stir up religious hatred or hatred on the grounds of sexual orientation.<sup>5</sup>

The same free speech clauses referred to above (Sections 29J and 29JA) apply equally to protect Christians publishing written material and secure, among other things, the right to discuss, criticise or express dislike of particular religions or the beliefs or practices of their adherents. The law provides other protections to allow Christians to spread the gospel through pamphlets, tracts and similar materials. The Clean Neighbourhoods and Environment Act 2005, for example, specifically prevents local authorities from limiting the distribution of free materials where the distribution is of printed matter “for the purposes of a religion or belief”.<sup>6</sup> Where written materials are not just witnessing about the Christian faith but are advertising a Christian event or product (such as a church service or book), some additional considerations apply. These are addressed below in the section on advertising.

## WHAT IF THE POLICE ACCUSE ME OF BREACHING THE PEACE?

Street preaching that is kept both biblical and balanced should not lead to a situation where you are arrested. However, under Section 89 of the Police Act 1996 a constable may use his power of arrest if a street preacher ‘resists’ the constable in the execution of his duty and the constable apprehends that there will be real and present threat to the peace if he does not intervene to stop the preacher’s conduct. This does not give police officers a free hand to arrest street preachers, and the following strict limitations on a police officer’s conduct have been endorsed by the High Court:

1. There must be the clearest of circumstances and a sufficiently real and present threat to the peace to justify the extreme step of depriving of his liberty a citizen who is not at the time acting unlawfully;
2. The threat must be coming from the person who is to be arrested;
3. The conduct must clearly interfere with the rights of others;
4. The natural consequence of the conduct must be violence from a third party;
5. The violence in 4 must not be wholly unreasonable;
6. The conduct of the person to be arrested must be unreasonable.

## SUMMARY OF WHAT I CAN'T SAY OR PUBLISH IN PUBLIC

In summary, the most relevant offences under the Public Order Act are:

1. Section 4A. Intention to cause a person harassment, alarm or distress and use of threatening, abusive or insulting words or behaviour/displaying any threatening, abusive or insulting writing, sign or other visible representation and causing a person harassment, alarm or distress;
2. Section 5. Use of threatening or abusive words or behaviour/displaying any threatening or abusive writing, sign or other visible representation and done within the hearing or sight of a person likely to be caused harassment, alarm or distress;
3. Section 29B. Use of threatening words or behaviour/displaying any threatening written material and intention to stir up religious hatred or hatred on the grounds of sexual orientation;
4. Section 29C. Publishing or distributing threatening written material and intention to stir up religious hatred or hatred on the grounds of sexual orientation;
5. Section 29E. Distributing, showing or playing a recording of threatening visual images or sounds and intention to stir up religious hatred or hatred on the grounds of sexual orientation.

## WHAT SHOULD I DO IF I FACE HOSTILITY OR INTIMIDATION OR AM THREATENED WITH ARREST?

While you can be confident in the fact that the right to speak publicly about the gospel on the street is protected by law, it is important that we should not be naïve. We will face opposition and there will be those who would wish to intimidate or even silence our speaking about Jesus in public. The police will have a duty to investigate, and so how you respond in these situations is vitally important.

Keep these things in mind in such circumstances:

1. Never retaliate or shout back.
2. Ask yourself – ‘Is it wise to continue here and now?’
3. Always seek to help the police – they have a job to do, help them to do it well.
4. If you have the permission of the land owner or local authority keep a copy on you to show the police.
5. Consider moving away from where you are preaching to a quieter spot to defuse the situation.
6. Keep the name and number of a local criminal solicitor on you so you can call them if needed.
7. If taken away to a police station always ask for representation.

## CAN I KNOCK ON DOORS AND COLD CALL?

You are free to share the gospel with anyone in your neighbourhood. Knocking on a neighbour’s door to invite them to a church event or service is part of our gospel witness. As always, the way in which we do this and react to those we are engaging with is important. If you get into a discussion with your neighbour about religious matters, be wise about what you say and the way you say it. Don’t push your enquiry too far if your request is received negatively. If you are invited in to talk about your faith remember that this is a privilege and the work of conversion is that of the Holy Spirit – not you! These issues are discussed in more details in the “Sharing your faith in private places” section at page 21.



# Sharing the gospel online and through social media

## INTRODUCTION

Over the past decade the internet and social media have become an increasingly indispensable part of our lives. Websites, blogs, vlogs, YouTube, Facebook, Instagram and Twitter are now key means of communication, particularly for younger generations. They represent a wonderful opportunity for getting the good news of Jesus Christ out to a vast audience at little cost. Churches, Christians and missionary organisations should seize the opportunities offered by this technology. However, we need to be aware of potential pitfalls and legal issues as we engage with these newer forms of media.

*Churches, Christians and missionary organisations should seize the opportunities offered by technology.*

## CAN I SHARE THE GOSPEL VIA WEBSITES AND BLOGS?

There are very few laws specifically dealing with what can and cannot be said online – many of the same legal provisions that are addressed in other sections will apply to sharing your faith via electronic means. For example, Article 9 and Article 10 of the European Convention on Human Rights (see ‘What does the law say?’ at page 15) govern the freedom for Christians to spread the message of Jesus through websites, blogs, vlogs and similar forms of communication. Freedom of expression is a central principle of the online world. Christians wishing to evangelise through church websites, video messages and audio clips have almost unlimited freedom to do so. However, the courts have held that the definition of ‘written material’ in the Public Order Act 1986 includes material uploaded to websites and generally available to

be viewed by the public. So the discussion of the Public Order Act in ‘Sharing the gospel in public’, especially the discussion of section 29C of the legislation (at page 47), should be taken into account. In addition, where churches or other Christian organisations place adverts on their websites, the considerations with regard to advertising described below (at page 57), will be relevant.

*Christians should have no concerns about posting recorded sermons or other content online, even if they deal with counter-cultural aspects of the gospel or controversial passages of scripture.*

Christians should have no concerns about posting recorded sermons or other content online, even if they deal with counter-cultural aspects of the gospel or controversial passages of scripture. As explained in more detail below, the law provides few limits to online content and is not interested in censoring Christian believers who do no more than share or discuss their faith online. Again – it is vital for Christians not to be naïve – you may very likely be faced with individuals or groups that are hostile to the gospel message and particular stances that are taken on the basis of biblical truth. Consider carefully then how you may deal with this but don’t let yourself be intimidated or fearful! Where policing of the web is involved, the authorities have far bigger issues to deal with than online evangelism, even where that evangelism deals with challenging topics.

As mentioned above, Article 9 (freedom of religion) and Article 10 (freedom of expression) protections will apply to web content. Those protections are particularly strong in relation to any comment on politics or public policy.<sup>1</sup> Christians should feel free to express themselves and convey views informed by the message of Jesus. As ever, though, it is worth bearing in mind the potential audience of any website and being sensitive to who may view it. This is not because of any legal concern; it is rather a question of common sense and practical wisdom to seek to ‘meet people where they are.’<sup>2</sup> We should not presume in a biblically illiterate world that everyone who reads the materials sent out into cyberspace will share the same assumptions or way of thinking as Christians, so we may wish to explain biblical ideas more fully than if we were just speaking to Christian friends.

In the past, key attacks against the truth of the gospel were launched from books, magazines or newspapers. Now many attacks and misleading messages are found on websites and blogs. Often misinformation is deliberate or based on sheer ignorance. However, it is important for churches and Christians to engage in this online sphere even in the face of outrage and provocation. It would be a tragedy if false teaching went unchallenged and led people away from God. On the other hand, posting online content can require discipline and restraint from Christians who must not be drawn into worldly or intemperate battles.

The worldly approach to an online debate is to respond quickly and aggressively with little hesitation about resorting to personal insults and abuse, misinformation and unsubstantiated allegations. Christians who get drawn into responding in kind will do little to focus others onto the message of Jesus and may fall short of our calling to respond lovingly to enemies<sup>3</sup> and wayward Christian brothers or sisters.<sup>4</sup> It should be clearly noted that anyone who does post material online that descends into personal abuse or unfounded allegations also brings themselves closer to the risk of accusations of breaching the law on libel. It is becoming increasingly common for website or blog material to lead to legal action based on the law of defamation. This is another reason to be measured and refuse to be provoked when publishing material on the internet.

As a matter of privacy and data protection churches may want to be careful to remove from audio or video content any references which could identify particular members of the church or community, unless their permission has been sought and given for that material to be broadcast.

## WHAT CAN I SAY ON SOCIAL MEDIA?

Social media also provides a fantastic platform for evangelism and Christians should feel free to use it. Again, this area of communication is not entirely untouched by the law, though Christians should not be put off using Twitter, Facebook or other social media to defend or promote the gospel. The main legal provision which applies to social media is Section 127 of the Communications Act 2003.<sup>5</sup> The High Court has recently reinforced that the right of free speech on social media cannot, and must not, be chilled by that legislation:

The 2003 Act did not create some newly minted interference with... freedom of speech and expression. Satirical, iconoclastic, or rude comment, the expression of unpopular or unfashionable opinion about serious or trivial matters, banter or humour, even if distasteful to some or painful to those subjected to it should and no doubt will continue at their customary level, quite undiminished by this legislation.

*Social media also provides a fantastic platform for evangelism and Christians should use it.*

It can be seen from this that, while wisdom is required when using social media to evangelise, Christians need not be in fear of legal repercussions. Section 127 of the Communications Act 2003 creates a criminal offence where a person sends by means of a public electronic communications network a message or other matter that is 'grossly offensive' or of an 'indecent, obscene or menacing' character. This should never apply to communications by a Christian which simply witness to the Bible's teaching, even those aspects of the Bible that are considered offensive or insulting by some. The Crown Prosecution Service (CPS), which makes the decision on whether to bring prosecutions under Section 127, is extremely unlikely to be interested in Christian messages on social media, even if those messages deal with potentially controversial topics like the eternal punishment of unbelievers or sexual morality. On the other hand, where hateful and threatening comments are distributed on social media, a risk of prosecution exists, even if those messages are cloaked in the language of religion. For example, a message posted on Facebook by a Muslim which said that "all soldiers should die and go to hell" in response to the deaths of six British servicemen in Afghanistan, did lead to a prosecution. As we have indicated repeatedly, it is necessary for Christians to think before they speak and try to put themselves in the shoes of potential hearers who may well not understand your language or background.

The CPS has now issued guidance, and prosecutions under Section 127 have been launched where social media has been used to make credible threats of violence and where obscene jokes have been made about victims of crime. None of these examples is anything like the sort of material that a Christian

would want to post on social media, however Christians should be aware that it is possible to be heard as threatening even if this was not intended. So care is needed. In one case where the CPS decided not to prosecute someone for posting what was regarded as a homophobic message on Twitter a CPS press release explained that criminal proceedings will only be brought where an electronic communication is *grossly* offensive. That threshold is a high one. However strong the content, a post on Twitter or a Facebook message by a Christian sent in the context of evangelism or a debate on religion should almost certainly fall outside the scope of the kind of cases covered by Section 127.

The case of James McConnell discussed above<sup>6</sup> is an example of a prosecution being brought under Section 127(1) of the Communications Act 2003 against a pastor who broadcast over the internet a controversial sermon about Islam. The sermon included language such as “Islam is heathen, Islam is satanic, Islam is a doctrine spawned in hell”. While the court held that these words were grossly offensive, they were protected by the pastor’s rights under Articles 9 and 10. This contrasted with other comments about mistrusting Muslims that were not covered by Articles 9 and 10, but fell short of grossly offensive. Mr McConnell was acquitted despite the strong words he had used, but the case serves as a reminder of the need for wisdom in what we communicate.

Employers are also particularly interested in employees’ online comments where these might negatively affect the reputation of the business, breach professional guidelines or upset fellow employees. In the case of *Smith v Trafford Housing Trust*,<sup>7</sup> the High Court held that an employee who expressed his views on marriage via Facebook had not committed misconduct. Although the court recognised that his comments may have caused offence to a colleague with different views, this was considered to be a necessary price for freedom of speech. It is worth noting that the court found the employee’s temperate question: ‘An equality too far?’ in context, was not so offensive or connected with his work that his employer’s reputation would have been foreseeably damaged. However, it is worth remembering that in the employment context, freedom of speech is not absolute. Employees should be

mindful of their employer's policies and any relevant guidelines from their profession. Social media posts are admissible in disciplinary proceedings<sup>8</sup>, and individuals who use this medium to post abusive comments about colleagues<sup>9</sup> or make derogatory observations about customers that jeopardise the reputation of their employer<sup>10</sup> can expect little sympathy from an employment tribunal.

Above all, when using social media, follow this golden rule: *assume that everyone, everywhere will read what you write and see what you post.*<sup>11</sup>

*Assume that everyone, everywhere will read what you write and see what you post.*

Feel free to graciously comment on whatever you like and to boast in Jesus as much as you can. As Christians we still represent Christ for real even in the virtual world. But be careful not to say anything online that you wouldn't say to someone's face, remembering to be "as shrewd as snakes and innocent as doves" (Matthew 10:16).





# Advertising

## IS IT OK FOR CHRISTIANS TO ADVERTISE?

There is a huge range of ways in which advertising can be used to evangelise. Billboards in a town centre, a noticeboard outside a church or even the side of a bus<sup>1</sup> can be used to promote church services, Bible verses or a Christian message. At the other end of the spectrum, handing out leaflets on the street inviting people to a church service can be an effective form of advertising to provide an opportunity to witness. The good news is that in most circumstances Christians will need to give little serious consideration to the law on advertising. However, occasionally a controversial advert, such as the offer of healing, may attract attention and lead to the involvement of the advertising regulators and even the courts.

*A flyer inviting people to a free church service can still constitute an advert.*

The issues considered previously in the sections on 'Using written materials in public' and 'Sharing the gospel online and through social media' (see pages 47 and 51) will also apply to print and online advertising by a church. Adverts, though, are subject to a further layer of regulation. So, for example, a pop-up banner on a website advertising a Christian book will attract some additional regulation which would not apply to a sermon posted on a church website. It is worth noting that in law the definition of an advert is very wide and includes advertisements for things which are being offered for free. So a flyer inviting people to a free church service can still constitute an advert.

Despite this extra layer of regulation for adverts, the same principles of freedom of expression are applicable and Article 10 (see 'What does the law say?' at page 15) applies to ensure there is a great deal of latitude for Christians to say what they wish.<sup>2</sup> In 2011 the High Court in Northern Ireland forcefully affirmed the freedom of Christians to explain what they believe by way of

public advertisements. The court in that case overturned a ruling by the Advertising Standards Authority (ASA) that a full-page newspaper advert taken out by a church ahead of a Gay Pride parade in Belfast was 'homophobic' and 'offensive'. The Court emphasised the importance of keeping restrictions on expressions of deeply-held beliefs and opinions to an absolute minimum. The Court quashed the decision of the ASA, finding that it was a breach of Article 10, and stated:

If the applicant is prohibited or materially inhibited in the advertisement, from articulating their religious conviction and call to bear witness by reference to the very scripture that underpins it, that restriction, from their perspective, can appear like a form of censorship.<sup>3</sup>

British print and online advertising is self-regulated. The Committee of Advertising Practice (CAP) is the industry body, established in 1961, which oversees the regulation of non-broadcast advertising. The CAP drafted an advertising code and in 1962 established the Advertising Standards Authority as an independent watchdog. The code covers print media and electronic advertisements such as text message and e-mail adverts, as well as online adverts (this includes both 'paid for' adverts, such as pop-ups and banners, and also any electronic marketing under an organisation's control such as messages sent out on Facebook and Twitter). The code does *not* apply to other website content such as editorial comments, news or public relations material. So it would not apply to a podcast of a sermon. The overarching purpose of the code is to ensure "marketing communications are legal, decent, honest and truthful"<sup>4</sup>

Radio and television advertising are covered by a different code and a slightly different system. The ASA is responsible for day-to-day regulation, but Ofcom (the statutory broadcasting regulator) has the final say over the contents of the Code and broadcasters can be referred by the ASA to Ofcom for further action (though this is very rare). Because it has a wider audience and impact, the law tends to allow greater restrictions to be applied to religious advertisements which are broadcast on television than would be allowed in relation to religious adverts contained, for example, in a newspaper.<sup>5</sup>

Breach of the code or failure to comply with an ASA ruling does not actually have much direct impact: it is not illegal. However, publishers and other media outlets may be reluctant to re-publish or show adverts the ASA have ruled against for fear of negative publicity or losing advertising privileges in the future. There may also be repercussions with local authorities – for example in the granting of local permissions for use of buildings or in bidding for local project funding.

## WHAT ABOUT ADVERTISEMENTS RELATING TO HEALING?

One area in which some additional awareness and wisdom is called for is any advert, handout, notice or church billboard referring to God’s power to heal. The ASA has taken a particular interest in this. The ASA considers each advert on a case by case basis, but in relation to one Christian organisation’s website advert for a healing service, the ASA concluded that: “On balance, the claims were understood to be an espousal of faith (a ‘cause’) rather than claims directly connected with the supply of a healing ‘service’”<sup>6</sup> The ASA therefore specified that: “Statements of belief, broadly falling within the scope of ‘causes’ or ‘ideas’ communications, do not fall within the non-paid-for online remit of the Code, unless they directly solicit donations.” It is likely, therefore, that making it clear that we believe in a God who has the power to heal will be less susceptible to criticism than making an assertion (unconnected with belief) that healing will take place at a particular service.

Following a challenge in 2012 by the Evangelical Alliance, supported by the Lawyers’ Christian Fellowship, a temporary amendment was made to CAP guidance relating to Christian beliefs on healing, with CAP acknowledging that:

Marketers are likely to be able to make claims about spiritual or emotional well-being or describe the comfort and support that prayer or faith has offered sufferers and their families. Claims that go beyond that and which refer to physical or mental healing (but do not mention specific conditions or symptoms) have not been tested by an ASA investigation or adjudication.<sup>7</sup>

Subsequently the last sentence has been removed from the guidance though there is no blanket ban on adverts which refer to physical or mental healing. The Evangelical Alliance and the Lawyers' Christian Fellowship made it clear to the ASA that they were not happy with that response, but to date the impasse remains.

What is clear is that CAP take exception to specific promises about specific ailments and object to any material that could discourage people from seeking medical advice. It should also be noted that secularist organisations specifically monitor church activities in this area and are quick to object and complain to the regulator. Christians will be the first to want to promote responsible advertising and are well aware that prayer and medical advice are complementary, not mutually exclusive. Any adverts inviting people to a healing service should be worded in a careful and appropriate way. It will probably not be wise to promise or offer healing of particular diseases such as heart disease or infertility. Furthermore, the Cancer Act 1939 makes it an offence for anyone to take any part in "the publication of any advertisement containing an offer to treat any person for cancer, or to prescribe any remedy therefor".<sup>8</sup> Organisations such as Healing on the Streets advise their partners not to mention the word cancer at all on their advertisements – beyond being, in any event, unwise, it is likely to be illegal.

Churches and Christian organisations should not be afraid of attesting to a general belief in the power of a living God to heal, however. The authors are aware of the CAP compliance team having recommended that a Christian healing organisation might use wording along the lines of 'We believe that God loves you and believe He can heal you' or 'We believe that God can heal you and bring you peace of mind'. Visit our website for further guidance on how to phrase advertisements for healing prayer or services. [www.greatcommission.co.uk/speakup](http://www.greatcommission.co.uk/speakup)

# Closing remarks

The great commission to share the good news about salvation in Jesus is a great privilege and a great responsibility, and we should take it seriously. However, resistance to this liberating message is deeply ingrained in human nature. So we can expect to be challenged, opposed and even rejected.

We can demonstrate the gospel in the way we live and by what we do – and we should. We must walk the talk. But what happens when we allow discomfort, embarrassment or fear to hold us back from talking? As we navigate a course of comfort, when does our silence become denial? The world benefits greatly from the works of justice and mercy that Christians perform, and John Stott once observed that “the gospel has an antiseptic effect on society”. Today in the UK, this antiseptic effect can be seen in every town and city in which the Church is meeting the needs of the poor and vulnerable. These works honour God – and we need more of them. However, they can never replace words. It is words – about Jesus’ life, death and resurrection – that bring light and hope and faith. As Timothy Keller has noted:

If we confuse evangelism and social justice we lose the single most unique service that Christians can offer the world. Others, alongside believers, can feed the hungry. But Christians have the gospel of Jesus by which men and women can be born again into the certain hope of eternal life. No one else can make such an invitation.<sup>1</sup>

*Introducing people to Jesus is the highest act of love that one human being can do for another.*

This means that the gospel is central to the purpose and identity of every believer. It’s our USP. Our *raison d’être*. Introducing people to Jesus is the highest act of love that one human being can do for another. Throughout history, this love-fuelled imperative of evangelism has marked Christians out and compelled great acts of faith. Indeed, our story is part of this bigger story, and we all have a role to play. Every follower of Christ today exists because someone, somewhere at some time introduced them to Jesus. Or

as C H Spurgeon put it more bluntly, “a Christian is either a missionary or an imposter”.

Across the world today, in places that lack freedom of religion, many believers are suffering and dying for the gospel. When it would be easier to stay quiet and to acquiesce to oppressive cultures and regimes, followers of Jesus are making huge sacrifices so that others may hear the gospel.

In our own society, although our experiences fall short of persecution, there is clear evidence of attempts to marginalise Christian faith in public life – to privatise it.<sup>2</sup> We should resist this. Equally, we should resist the temptation to respond in the manner of a rights-claiming victim group, solely focused on our own narrow agenda. The gospel has wider consequences for society. It has shaped our modern ideas about freedom of religion and belief which in turn have become foundational for many of our other freedoms, human rights and civil liberties. Historically, the gospel is synonymous with freedom. It not only sets men and women free, it also has an aggregating philosophical and sociological benefit. This is because the freedom to proclaim and live out the gospel – and the freedom for all to either to accept it or to reject it – demands and sustains more freedoms. And everyone benefits.

*The freedom to proclaim and live out the gospel – and the freedom for all to both to accept it or to reject it – demands and sustains more freedoms. And everyone benefits.*

Resistance to the gospel, although spiritual at source, is always legal and political in effect. It is the gospel that provides the freedoms we need to speak truth to power. Sadly, by default and design, our society sometimes forgets that its many freedoms derive from centuries of applying the Bible to public life.

Regardless of such historical amnesia or religious illiteracy, and contrary to the opinions of a few secular extremists, evangelism is not a problem for our society. It is a sign of its health and freedom. It should be celebrated, not denigrated. And we have good news about the good news. Despite the fog and the fear, this publication and the accompanying web resources show that we enjoy many freedoms to share our faith today. As citizens of the

UK we have much to be thankful for. As Christians we have someone to be thankful to.

Although these liberties have been hard-won, however, they can also be easily lost. If not attended to, they will wither away. Like a muscle, without exercise they will atrophy. The Bible tells us that we grow as we give, and the truth about our gospel freedoms is that 'if we don't use them we'll lose them'.

In our plural and diverse society, our sharing should always be guided by personal regard, cultural sensitivity, and professional conduct. This attitude of respect flows from the biblical call to be salt and light in the world. It exceeds ideas about tolerance, transcends anything that a state can proscribe legally, and witnesses to the wisdom and love of God.

The lost need the gospel, so we need to be intentional about sharing it. We hope that this resource will inform followers of Christ about the freedoms we have to do this, and encourage confident and fruitful evangelism in every area of public life. Freedom, in every sense of the word, depends on it. So let's speak up.

### **Dr David Landrum**

Director of advocacy  
Evangelical Alliance

Visit [www.greatcommission.co.uk/speakup](http://www.greatcommission.co.uk/speakup) for further information and updates on the law and your gospel freedoms

# Glossary

**Advertising Standards Authority (ASA):** The UK's independent regulator of advertising across all media. The body regulates the content of advertisements, sales promotions and direct marketing and maintains standards by applying advertising standards codes. The ASA has the power to stop misleading, harmful or offensive advertising.

**Advisory, Conciliation and Arbitration Service (ACAS):** A state funded body that produces statutory Codes of Practice and provides conciliation and mediation services to parties involved in employment disputes.

**Article:** A paragraph or section of a legal document often outlining a specific rule or regulation e.g. Article 9 of the European Convention of Human Rights.

**Binding Precedent:** A decision of a higher court containing legal reasoning that all lower courts must abide by in future.

**Common Law:** A term used to describe legal precedent that is made by decisions of judges sitting in courts, which can be contrasted with statutory provisions contained within a codified Act of Parliament.

**Defamation:** The legal definition of 'defamation' covers both libel (lasting publications, print and broadcasting) and slander (spoken words and gestures) that adversely affect a person's reputation. There are a number of defences to defamation, including truth, honest opinion and matters of public interest.

**Direct Discrimination:** A type of discrimination that occurs where, because of a protected characteristic, a person 'A' treats another 'B' less favourably than A treats or would treat others. Except for age, direct discrimination on the grounds of a protected characteristic is unlawful. [See below for Indirect Discrimination.]

**Equality and Human Rights Commission (EHRC):** Great Britain's national equality body with responsibility for encouraging equality and diversity, eliminating unlawful discrimination and promoting human rights. The EHRC publishes ideas and information, undertakes research and provides advice and guidance alongside education and training.

**Equality Commission for Northern Ireland (ECNI):** The Commission is an independent public body established under the Northern Ireland Act 1998 to advise and support individuals with potential discriminatory complaints, help employers and service providers understand their obligations, encourage public authorities to promote equality and ensure that equality considerations are central to decision making within areas of public policy.

**European Convention on Human Rights (ECHR):** A Convention containing articles which guarantee a number of basic human rights including Article 9 (freedom of thought, conscience and religion) and Article 10 (freedom of expression). The UK ratified the Convention in 1951, but did not incorporate it into law until the passing of the Human Rights Act 1998, which came into effect in 2000.

**European Court of Human Rights (ECtHR):** Situated in Strasbourg, the court oversees the ECHR which protects the rights of individuals in member states. The court is not an EU institution and has no power of enforcement therefore, the UK's legal situation in this regard is not affected by the vote to leave the European Union.

**Human Rights Act 1998 (HRA):** An Act of Parliament that came into force in the UK on 2 October 2000, requiring UK courts, as far as possible, to interpret all legislation in a way that is compatible with the ECHR and which also made it unlawful for public authorities to act in a way that is incompatible with the ECHR.

**Indirect Discrimination:** 'A' indirectly discriminates against 'B' (a person with a protected characteristic), if:

- 'A' applies a provision, criteria or practice (PCP), **AND**

- 'A' applies (or would apply) that PCP to those who do not share 'B's' protected characteristic, **AND**
- the PCP puts persons or would put persons with whom 'B' shares the protected characteristic at a particular disadvantage compared to others, **AND**
- 'A' cannot show the PCP to be a proportionate means of achieving a legitimate aim.

If 'A' can objectively justify the PCP, then the indirect discrimination will be considered lawful.

**Judgment:** A decision of a court or tribunal, which can be given orally and in written form. Binding decisions of the upper courts are usually reported and published unlike first instance decisions.

**Non-binding judgment:** A decision of a first instance court which may resolve a dispute between parties, does not create a legal precedent although, if reported, might be of persuasive value to a future court.

**Ofcom:** The independent regulator and competition authority in the UK for telecoms with responsibility for television broadcast services (short for Office of Communications).

**Protected Characteristics:** The law is concerned with discrimination and harassment on the grounds of a person's age, disability, gender reassignment, marital status, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Although legal protections can differ slightly on each, these are commonly referred to 'protected characteristics'.

**Statute:** A written law passed by a legislative body such as Parliament.

**Universal Declaration of Human Rights (UDHR):** An International Declaration proclaimed by the United Nations General Assembly in Paris on 10 December 1948 as a common standard of human rights. The Declaration served to provide the basis of many aspects of the ECHR.

# Resources

## REFERRED TO IN THIS DOCUMENT

ACAS, *Religion or Belief and the Workplace*, March 2014,

[www.acas.org.uk/media/pdf/d/n/Religion-or-Belief-and-the\\_workplace-guide.pdf](http://www.acas.org.uk/media/pdf/d/n/Religion-or-Belief-and-the_workplace-guide.pdf)

Criminal Justice and Licensing (Scotland) Act 2010,

[www.legislation.gov.uk/asp/2010/13/contents](http://www.legislation.gov.uk/asp/2010/13/contents)

EHRC, *Freedom of Expression*, March 2015,

[www.equalityhumanrights.com/publication/freedom-expression-legal-framework](http://www.equalityhumanrights.com/publication/freedom-expression-legal-framework)

EHRC, *Religion or belief in the workplace: A guide for employers following recent European Court of Human Rights Judgments*, 26 March 2014,

[www.equalityhumanrights.com/publication/religion-or-belief-workplace-guide-employers-following-recent-european-court-human-rights-judgments](http://www.equalityhumanrights.com/publication/religion-or-belief-workplace-guide-employers-following-recent-european-court-human-rights-judgments)

Equality Act 2010

[www.legislation.gov.uk/ukpga/2010/15/contents](http://www.legislation.gov.uk/ukpga/2010/15/contents)

European Convention of Human Rights (ECHR)

[www.echr.coe.int/Documents/Convention\\_ENG.pdf](http://www.echr.coe.int/Documents/Convention_ENG.pdf)

Human Rights Act 1998

[www.legislation.gov.uk/ukpga/1998/42/contents](http://www.legislation.gov.uk/ukpga/1998/42/contents)

Public Order Act 1986

[www.legislation.gov.uk/ukpga/1986/64](http://www.legislation.gov.uk/ukpga/1986/64)

Universal Declaration of Human Rights (UDHR)

[www.un.org/en/universal-declaration-human-rights/](http://www.un.org/en/universal-declaration-human-rights/)

# References

## What does the law say?

- <sup>1</sup> For definitions of legal terms such as 'Article', please see the Glossary
- <sup>2</sup> *Redmond-Bate v DPP* [2000] HRLR 249 at 260  
[www.freebeagles.org/caselaw/CL\\_bp\\_Redmond-Bate\\_full.html](http://www.freebeagles.org/caselaw/CL_bp_Redmond-Bate_full.html)
- <sup>3</sup> Baroness O'Neill, *Freedom of Expression and Freedom of Religion*, Theos Annual Lecture 2015 (London: Theos, 2015)  
[www.theosthinktank.co.uk/files/files/Reports/Annual%20Lecture%202015.pdf](http://www.theosthinktank.co.uk/files/files/Reports/Annual%20Lecture%202015.pdf)
- <sup>4</sup> *Chambers v DPP* [2012] EWHC 2157 (Admin)
- <sup>5</sup> *In re Kirk Session of Sandown Free Presbyterian Church* ([2011] NIQB): 26 High Court in Northern Ireland

## Sharing the gospel in private

- <sup>1</sup> *DPP v McConnell* [2016] NIMag 1
- <sup>2</sup> This of course applies to Irish, Scottish and Welsh homes as well!
- <sup>3</sup> See 'Government, Christian Concern and QEII Conference Centre reach settlement over marriage conference cancellation', 21 January 2015,  
[www.christianconcern.com/our-concerns/religious-freedom/government-christian-concern-and-qeii-conference-centre-reach-settlem](http://www.christianconcern.com/our-concerns/religious-freedom/government-christian-concern-and-qeii-conference-centre-reach-settlem)
- <sup>4</sup> *Ibid*

## Sharing the gospel at work

- <sup>1</sup> See *Eweida and Others v. the United Kingdom* 15 January 2013  
<http://hudoc.echr.coe.int/eng?i=001-115881> paragraph 94
- <sup>2</sup> Information on where to find each of these documents is listed in the 'Further Resources' section of this booklet
- <sup>3</sup> 1Thessalonians 5:12
- <sup>4</sup> EHRC, *Religion or belief in the workplace*, 2013, p. 6
- <sup>5</sup> *Smith v Trafford Housing Trust* [2012] EWHC 3221 (Ch)
- <sup>6</sup> Philippians 4:5
- <sup>7</sup> EHRC, *Religion or belief in the workplace: A guide for employers following recent European Court of Human Rights judgments*, 2013  
[www.equalityhumanrights.com/sites/default/files/documents/RoB/religion\\_or\\_belief\\_in\\_the\\_workplace\\_a\\_guide\\_for\\_employers.pdf](http://www.equalityhumanrights.com/sites/default/files/documents/RoB/religion_or_belief_in_the_workplace_a_guide_for_employers.pdf) p. 5

- <sup>8</sup> ACAS, *Religion or belief and the workplace: A guide for employers and employees*, 2014 [www.acas.org.uk/media/pdf/d/n/Religion-or-Belief-and-the\\_workplace-guide.pdf](http://www.acas.org.uk/media/pdf/d/n/Religion-or-Belief-and-the_workplace-guide.pdf) p. 10
- <sup>9</sup> ACAS, *Religion or belief and the workplace: Putting the Employment Equality (Religion or Belief) Regulations 2003 into practice*, 2005 [www.acas.org.uk/media/pdf/f/l/religion\\_1.pdf](http://www.acas.org.uk/media/pdf/f/l/religion_1.pdf) p. 31
- <sup>10</sup> EHRC, *Freedom of expression* 2015, [www.equalityhumanrights.com/sites/default/files/publication\\_pdf/20150318%20FoE%20legal%20framework%20guidance%20revised%20final.pdf](http://www.equalityhumanrights.com/sites/default/files/publication_pdf/20150318%20FoE%20legal%20framework%20guidance%20revised%20final.pdf) p. 6
- <sup>11</sup> ACAS, *Religion or belief and the Workplace*, 2005 p. 33
- <sup>12</sup> EHRC, *Religion or belief in the workplace*, 2013, p. 3

## Sharing the gospel in public

- <sup>1</sup> Quoted by LJ Sedley in his judgement in *Redmond-Bate v Director of Public Prosecutions* 163 JP 789, [1999] Crim LR 998, 7 BHRC 375
- <sup>2</sup> *Redmond-Bate v DPP* [2000] HRLR 249 at 260
- <sup>3</sup> Public Order Act 1986, [www.legislation.gov.uk/ukpga/1986/64](http://www.legislation.gov.uk/ukpga/1986/64)
- <sup>4</sup> *Ibid*
- <sup>5</sup> *Ibid*
- <sup>6</sup> HMSO, *The Clean Neighbourhoods and Environment Act 2005* [http://www.legislation.gov.uk/ukpga/2005/16/pdfs/ukpga\\_20050016\\_en.pdf](http://www.legislation.gov.uk/ukpga/2005/16/pdfs/ukpga_20050016_en.pdf) (Section 1(4) of Schedule 3A)
- <sup>7</sup> *Lesley Edward Bibby v The Chief Constable of Essex Police* (Unreported, 6th April 2000)

## Sharing the gospel online

- <sup>1</sup> See the helpful guidance recently published by the Equality and Human Rights Commission, which can be accessed here - [www.equalityhumanrights.com/publication/freedom-expression-legal-framework](http://www.equalityhumanrights.com/publication/freedom-expression-legal-framework)
- <sup>2</sup> 1 Corinthians 9:19-23
- <sup>3</sup> Matthew 5: 43-47, Romans 12:17-21
- <sup>4</sup> Matthew 18:15-17, 1 Timothy 5:1-2
- <sup>5</sup> Occasionally section 1 of the Malicious Communications Act 1988 has also been used. In Scotland, there is a similar provision in section 6 of the Offensive Behaviour at Football Matches and Threatening Communications (Scotland) Act 2012

- <sup>6</sup> *DPP v McConnell* [2016] NIMag 1
- <sup>7</sup> *Smith v Trafford Housing Trust* [2012] EWHC 3221 (Ch)
- <sup>8</sup> *Gill v SAS Ground Services Limited* ET/2705021/09
- <sup>9</sup> *Teggart v TeleTech UK Ltd* NIIT/704/11
- <sup>10</sup> *Preece v JD Wetherspoons Plc* ET /2104806/10
- <sup>11</sup> With thanks to Kevin DeYoung -  
[www.thegospelcoalition.org/blogs/kevindeyoung/2012/06/13/the-one-indispensable-rule-for-using-social-media/](http://www.thegospelcoalition.org/blogs/kevindeyoung/2012/06/13/the-one-indispensable-rule-for-using-social-media/)

## Advertising

- <sup>1</sup> See e.g. [www.theguardian.com/world/2009/feb/05/atheist-bus-christian-response](http://www.theguardian.com/world/2009/feb/05/atheist-bus-christian-response)
- <sup>2</sup> See e.g. *Murphy v Ireland* (2003) 38 EHRR (at para 61).
- <sup>3</sup> [www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2011/2011%20NIQB%2026/j\\_j\\_TRE8133Final.htm](http://www.courtsni.gov.uk/en-GB/Judicial%20Decisions/PublishedByYear/Documents/2011/2011%20NIQB%2026/j_j_TRE8133Final.htm)
- <sup>4</sup> Committees of Advertising Practice, *The CAP Code: The UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing* (Edition 12, 2014), p. 3.
- <sup>5</sup> See *R (on the application of Animal Defenders International) v Secretary of State for Culture, Media and Sport* [2008] 3 All ER 193
- <sup>6</sup> [www.asa.org.uk/~media/Files/ASA/News/ORE%20Update%20Dec%202014.ashx](http://www.asa.org.uk/~media/Files/ASA/News/ORE%20Update%20Dec%202014.ashx)
- <sup>7</sup> CAP, 'Religious and Spiritual Healing',  
[www.cap.org.uk/Advice-Training-on-the-rules/Advice-Online-Database/Religion-and-spiritual-healing.aspx](http://www.cap.org.uk/Advice-Training-on-the-rules/Advice-Online-Database/Religion-and-spiritual-healing.aspx)
- <sup>8</sup> [www.legislation.gov.uk/ukpga/Geo6/2-3/13/contents](http://www.legislation.gov.uk/ukpga/Geo6/2-3/13/contents)

## Closing Remarks

- <sup>1</sup> Keller, T (2010) *'Generous Justice – How God's grace makes us just'*, London, Hodder and Stoughton
- <sup>2</sup> See: *Clearing the Ground* (2012) – preliminary report into the freedoms of Christians within UK public life, by Christians in Parliament, an official All-Party Parliamentary Group (APPG) and Evangelical Alliance:  
[www.eauk.org/current-affairs/publications/clearing-the-ground.cfm](http://www.eauk.org/current-affairs/publications/clearing-the-ground.cfm)



*"This is a most helpful guide and I commend it to all who are uncertain about their freedom to speak of Jesus in the UK. We cannot help speaking about what we have seen and heard but it makes sense to know where the law will uphold our freedom to do so and where there are dangers to be avoided. With guidance, both human and divine, we can seek to be as shrewd as snakes and as innocent as doves!"*

Sir Jeremy Cooke, retired High Court judge and now an international arbitrator.

*"This timely publication is a rich practical resource which should give encouragement and confidence to every Christian believer that we have the tools and the authority to share the life - changing good news of the gospel of Jesus Christ as effectively as ever - indeed, in today's multi-media environment, even more so."*

Fiona Bruce, MP Congleton

*"We do not need to be ashamed of the gospel in the UK today! I welcome this timely new resource because there is a great deal of scare-mongering and misinformation about our right as Christians in the UK to share our faith in Jesus. This booklet helps bring clarity where there may be confusion. It's time to stand up to the bullies, not to shut up but rather to 'Speak Up' for Jesus without fear of legal reprisal."*

Pete Greig, 24-7 Prayer International



## GREAT COMMISSION

**A new evangelism hub from the Evangelical Alliance  
launching autumn 2016...**

- › Sharing inspiring stories of lives transformed by Jesus throughout the UK
- › Signposting you to a wide range of evangelistic initiatives, tools, resources and stories
- › Equipping you to be talking about Jesus more
- › Encouraging us all to be praying more for those who don't yet know Jesus

Join in today at  
[greatcommission.co.uk](http://greatcommission.co.uk)

