

SPECIAL RAPPORTEUR FoRB CALLS FOR INPUT

Evangelical Alliance response to advocacy of hatred based on religion or belief: transformative responses.

27 October 2023

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Introduction

The Evangelical Alliance UK is the largest and oldest body representing the UK's two million evangelical Christians. Established in 1846 to further Christian unity. Today we work across a diverse constituency of over 25,000 individual members, as well as thousands of churches and hundreds of organisations.

British evangelicalism is incredibly diverse, not only ethnically but across many other protected characteristics, while also itself representing a vibrant minority of religion. To view a full list of our member churches and organisations please visit the website:

<https://www.eauk.org/membership/our-members>

The Evangelical Alliance UK is also the founding member of the World Evangelical Alliance¹, which unites evangelical alliances based in different countries around the world, representing anywhere from 300 million to a billion evangelical Christians. This global reach reflects the influence of evangelical faith, which can also be seen in the huge social and ethnic diversity in British evangelical churches.

How we have approached this call for evidence

We are responding to questions 1, 4, 7 and 8.

The purpose of our engagement is to share both staff and the wider Evangelical Alliance membership's experience in:

- serving across ethnically and religiously diverse communities;
- hosting reconciliation roundtables across political and religious divides (for example Northern Ireland, Interfaith Council in Wales and Windrush);

¹ World Evangelical Alliance website, Available at: <https://worldea.org/> [Accessed 23 October 2023]

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- and advocating for stronger freedom of religion or belief and freedom of expression protections in laws and statutory guidance.

Should the Special Rapporteur or the Secretariat wish to discuss this response or learn more about the community outreach projects lead by evangelical member organisations and churches, please contact Alicia Edmund, Head of public policy at a.edmund@eauk.org

Question 1

How, if at all, is advocacy of hatred defined in legal and policy frameworks, and how does it relate to intolerance, discrimination, and violence based on religion or belief?

- 1.1. Successive Governments in the UK have sought to protect freedom of religion or belief law and to tackle hate crime incidents on the basis of religion or belief through sentencing guidelines.
- 1.2. Article 9 of the Human Rights Act 1998 gives everyone the freedom to exercise thought, conscience and religion, specifically this ensures freedom to change belief, practice beliefs and worship whether alone or in community. This freedom can be limited by the government but only where it is seeking to protect the freedom and rights of other protected groups.
- 1.3. The Equality Act 2010 religion or belief is a protected characteristic whereby an individual cannot experience direct or indirect discrimination, harassment or victimisation in the workplace or in public life.
- 1.4. References to Hate Crime is found in different pieces of legislation - the Public Order Act 1986 (part 3A), the Football Offences Act 1991, the Crime and Disorder Act 1998 (Section 29 to 32), the Police Crime and Sentencing Courts Act 2022 (Sections 60 and 61) - and sentencing guidance.
- 1.5. In December 2016, the Theresa May Government formally adopted the International Holocaust Remembrance Alliance's (IHRA) working definition of Antisemitism². This was in response to the rise of hate incidents towards Jewish schools, synagogues and the community more generally.
- 1.6. More recently, the Department of Levelling Up, Housing and Communities (DLUHC) published a religious hatred survey inviting respondents to comment and the government's approach to tackling hate crimes on the basis of religion or belief. **See paragraph 8.4 for our position on single or multiple legal/government endorsed definition.**
- 1.7. Over the past 30 years, different laws and policy guidance has sought to protect individuals from violence and where needed to design a criminal justice system where individuals and/or groups

² Parliament UK (2018) *UK Government's adoption of the IHRA definition of antisemitism*, Available at: <https://commonslibrary.parliament.uk/uk-governments-adoption-of-the-ihra-definition-of-antisemitism/> [Accessed October 2023]

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that have suffered harm can find legal redress. But is important to recognise the limits of the law. Hate crime incidents based on religious identity is prevalent and on the rise in Great Britain.

- 1.8. Religious hate crimes generally increased by 9% between the year ending March 2022 and the year ending March 2023³. Plus, the ongoing conflict in the Middle East, has been a significant increase in Antisemitic hate crime in London⁴.
- 1.9. Where the law is limited in enforcing community cohesion, the government and policymakers must look to and learn from community groups, particularly local Christian outreach projects and leaders, in the work they do to promote unity across ethnic and cultural lines.
- 1.10. We recommend the following projects to the Special Rapporteur's team as good examples of building community cohesion across ethnic and religions divides, they are: the *One People Commission's* work around intercultural church across the four nations and Europe⁵, *London City Mission's* work supporting Afghanistan and Iranian asylum seekers to integrate in London⁶, *Gather Movement's* community hubs initiatives supporting families and single parents to access family support and mental wellbeing services⁷ and *Interfaith Council for Wales*⁸

³ Home Office (October 2023), Hate Crime, England and Wales, 2022 to 2023, Available at: <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2022-to-2023/hate-crime-england-and-wales-2022-to-2023> [Accessed October 2023]

⁴ Metropolitan Police (13 October 2023), There is no place in London for hate, Available at: <https://news.met.police.uk/news/there-is-no-place-in-london-for-hate-473696> [Accessed on 27 October 2023]

⁵ One People Commission and South Asian Forum, *Celebrating diversity, promoting unity*; Available at: https://issuu.com/evangelicalalliance/docs/opc_booklet_-_web/2

⁶ <https://www.lcm.org.uk/be-inspired/diaspora-communities/>

⁷ <https://gathermovement.org/projects/>

⁸ <https://www.cytun.co.uk/hafan/en/about-inter-faith-wales/>

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Question 4

What are some of the instances and effects of the advocacy of hatred based on religion or belief:

- a) For adherents to various religions or beliefs, individually and collectively;
- b) Within religious and belief communities;
- c) In day-to-day violations or as embedded as drivers of marginalisation and violence;
- d) As crystallised into systemic and structural disadvantage against some target groups;

4.1. The prominence of different hate crime offences, promoted through government campaigns and civil society groups, have increased public awareness and how to report a crime, but there remains concerns in the quality of hate crime statistics in the UK.

4.2. At present data only describes the prevalence of hate crime (across race, religion, sexual orientation, disability, and transgender identity) in the UK but does not sufficient explain motivation, trends or causality for why hate crime incidents happen.

4.3. In the year ending March 2022 there was a 29% increase in hate crimes recorded by the police in England and Wales⁹, but the Home Office attribute this rise to 'better reporting by the police'.

4.4. One explanation could be when political or global events take place there seems to be a rise in religious motivated hate crime incidents. Consider, the conflict in Israel-Gaza and the rise in Antisemitism and Islamophobia in London¹⁰ or 7/7 terrorist attacks and a rise of Islamophobia.

4.5. It is our view that a lack of political leadership contributes to division across religious and ethnic lines.

4.6. Leading on from the previous point, it would also appear that there is disagreement between the Home Secretary and the MET Commissioner, Sir Mark Rowley on the effectiveness of the hate crime legislation in the UK.

4.7. There were Pro-Palestinian protest in London this month, where an individual shouted the word 'jihad'. The police later received criticism from government ministers for not arresting on the grounds of inciting violence on the basis of religion or belief. But the Met Commissioner's defence

⁹ Home Office (October 2023), Hate Crime, England and Wales, 2022 to 2023, Available at: <https://www.gov.uk/government/statistics/hate-crime-england-and-wales-2022-to-2023/hate-crime-england-and-wales-2022-to-2023> [Accessed October 2023]

¹⁰ Reuters (October) Antisemitic, Islamophobic offenses soar in London after Israel attacks, Available at: <https://www.reuters.com/world/uk/antisemitic-islamophobic-offences-soar-london-after-israel-attacks-2023-10-20/>

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was that there is possibly a case for redrawing hate crime laws to aid the police better. The government disagrees.

- 4.8. Given the ongoing geo-political and religious conflicts in the Middle East, North Africa and Asia, plus the increased political polarisation in Europe and the across the world, we would encourage the Special Rapporteur's thematic report to share best practice in supporting criminal justice actors to report and investigate incidents of hate crime reporting so that victims/communities impacted are better supported.

Question 7

How is hatred based on religion or belief countered at different levels, by State actors alone or in partnership with other actors, and to what effect? Have these resulted in prohibitions on expression and, if so, please detail how these measures are consistent with upholding international human rights obligations?

7. In an article written earlier this year, Wissam al-Saliby, the Director for the World Evangelical Alliance's Geneva's Officer wrote *'To fight hate speech, we need more speech. And we need to promote and live out alternative and counter-narratives'*¹¹ and questioned the international community's ability to protect religious minority groups.
- 7.1. Domestically, we have witnessed both the Scottish and UK Government introduce legislation that disproportionately restricts freedom of expression for people of faith.
- 7.2. As the Hate Crime and Public Order (Scotland) bill passed through Holyrood, we expressed concerns that the Bible teachings on moral issues would be criminalised and Christians prosecuted under hate crime laws¹².
- 7.3. Section 60 and 61, 'non-crime hate incidents code' in the Police, Crime, Sentencing and Courts Act 2022 for England and Wales limits expression. The Miller vs College of Policing judgement¹³ in 2021 lead to the updated guidance in 2023 to provide greater clarity in the balancing of rights.

¹¹ World Evangelical Alliance (January 2023), Can Human Rights Law Adequately respond to Hate speech across diverse political and governance contexts and legal traditions, Available at: <https://worlddea.org/news/21127/can-human-rights-law-adequately-respond-to-hate-speech-across-diverse-political-and-governance-contexts-and-legal-traditions/>

¹² Evangelical Alliance (2021), Hate crime and public order Scotland bill: final update, Available at: <https://www.eauk.org/news-and-views/hate-crime-and-public-order-scotland-bill-final-update>

¹³ <https://www.judiciary.uk/wp-content/uploads/2022/07/Miller-v-College-of-Policing-judgment-201221.pdf>

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- 7.4. It is our view that, the law must distinguish between strong disagreement on issues of religion or belief and the incitement of or stirring up religious hatred based on a person's religious identity. At present the law is grey.**
- 7.5. Elsewhere in public life, many Christians are finding it hard to express religious views on politics, ethics and values in a secular workplace or education setting.
- 7.6. In Autumn 2021, the Evangelical Alliance, together with Lawyers Christian Fellowship and Transformed UK, conducted a survey and published a report¹⁴ into the experience of Christians experience in the workplace. An emerging pattern and trend from the 581 responses were received were a lack of accommodation for Christian faith in the workplace, issues of conscience, specifically on issues of sexuality and gender and a pressure to compromise religious convictions.
- 7.7. Christian parents and schools with a Christian ethos are also unclear whether they can uphold their religious beliefs on sex and gender identity when teaching relationship and sex education.
- 7.8. What is needed from the UK Government and bodies like the Equality and Human Rights Commission (ECHR) are up-to-date guidance on religion or belief in the workplace, statutory guidance on the teaching of relationship and sex education in schools and new tackling hate crime action plan¹⁵.
- 7.9. An approach that we would recommend to government, is to improve engagement with different religious groups across public policy issues *ahead* of introducing new legislation or guidance. This both improves policymakers' understanding of religious groups and how they practice belief, and reduces the possibility of policy negatively impacting freedom of religion or belief.
- 7.10. We would urge the Special Rapporteur in your thematic report to the Human Rights' Council to set out guiding principles for nation states in better balancing freedom of religion with freedom of expression.**

¹⁴ The Evangelical Alliance et al (2021), *Living for Jesus at Work*, Available at: <https://www.eauk.org/resources/what-we-offer/reports/living-for-jesus-at-work>

¹⁵ The last guidance from ECHR on religion or belief in the workplace was 2016, RSE guidance is devolved and is currently being reviewed in all four nations and the last government action plan to tackle hate was published in 2016.

Question 8

What efforts are underway, or needed in your view, to ensure that ALL laws, policies, initiatives and efforts in this arena are rooted in an inclusive understanding of freedom of religion or belief for all and do not have a chilling effect on the full enjoyment of this right?

- 8.1 In April 2023 Colin Bloom the UK Government's, independent faith engagement advisor, published 'Does government 'do God?''¹⁶. The report covered different themes and issues, but overwhelmingly urged across government departments approach to working with different faith groups and to implement 'faith literacy' training.
- 8.2. Following its publication, we know that the Government's faith minister, Baroness Scott of Bybrook and officials in DLUHC has held roundtables with different religious groups to hear their reflections on the 22 recommendations. The Evangelical Alliance was delighted to take part in one and share its reflections on where there needs to be better faith literacy and empathy by government ministers when introducing new policy and laws¹⁷.
- 8.3. In June this year, the security minister Tom Tugendhat, released a statement¹⁸ that a £28million fund would go towards helping to protect faith communities, from the threat of terrorism and hate crime incidents.
- 8.4. On 5, September the DLUHC published a survey into religious hatred ahead of publishing new policy approach to tackling a rise of hate incidents in the UK, extremism online and at grassroots level within different religious groups in the UK. We await the Government's policy strategy to tackling hate crimes based on religion or belief going forward. In our submission we proposed a single definition of hatred going forward is preferred.
- 8.5. At the time of writing this submission both the Office for National Statistics (ONS) and the Equality and Human Rights Commission (EHRC) are reviewing consultation responses ahead of publication later this. The ONS's report will focus on reforming the way it collects population and migration

¹⁶ Colin Bloom (April 2023) Does the government 'do God'? An independent review into how government engages with faith Available at: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1152684/The_Bloom_Review.pdf [Accessed April 2023]

¹⁷ Evangelical Alliance (May 2023), Further reflections on Colin Bloom's faith engagement review. Available at: <https://www.eauk.org/news-and-views/further-reflections-on-colin-blooms-faith-engagement-review> [Accessed October 2023]

¹⁸ Home Office (June 2023), £28 million fund will help keep places of worship safe Available at: <https://www.gov.uk/government/news/28-million-funding-will-help-keep-places-of-worship-safe> [Accessed October 2023]

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data going forward and the EHRC is due to publish an updated report from its 2018 report on how to promote human rights in Britain.

8.6. Both projects recognise the importance of understanding and reflecting religious groups' presence in society and needs, but also acknowledges limited understanding and data on how different religious communities exist and work at the local community level.

8.7. The Government cannot develop a robust policy response to tackle hate crime based on religion or belief, if empirical data and lived experience of those different ethnic, religious, and cultural backgrounds living in the UK is lacking.

8.8. It has long been our view that the Government and statutory bodies must conduct a nation-wide research and audit of religion or belief in the UK and how the belief impacts on people's lives and engagement in society. Such research could draw together an advisory group made up of diverse and representatives from different faith groups. Government and statutory bodies needs the insights of religious groups to turn a government action plan into workable solutions at community level.

End

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