



Public Order Act 1986

1986 CHAPTER 64

[^{F1}PART 3A

HATRED AGAINST PERSONS ON RELIGIOUS GROUNDS [^{F1}OR GROUNDS OF SEXUAL ORIENTATION]

[^{F1}Inflammatory material

Textual Amendments

- F1** Pt. 3A inserted (E.W.) (1.10.2007 except so far as relating to the insertion of ss. 29B(3), 29H(2), 29I(2) (b)(4)) by [Racial and Religious Hatred Act 2006 \(c. 1\)](#), ss. 1, 3(2), [Sch.](#); S.I. 2007/2490, [art. 2](#)

29G Possession of inflammatory material

- (1) A person who has in his possession written material which is threatening, or a recording of visual images or sounds which are threatening, with a view to—
- in the case of written material, its being displayed, published, distributed, or included in a programme service whether by himself or another, or
 - in the case of a recording, its being distributed, shown, played, or included in a programme service, whether by himself or another,
- is guilty of an offence if he intends [^{F2}thereby to stir up religious hatred or hatred on the grounds of sexual orientation].
- (2) For this purpose regard shall be had to such display, publication, distribution, showing, playing, or inclusion in a programme service as he has, or it may reasonably be inferred that he has, in view.

Textual Amendments

- F2** Words in s. 29G(1) substituted (23.3.2010) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 74, 153(7), [Sch. 16 para. 11](#); S.I. 2010/712, [art. 2\(d\)](#)

Changes to legislation: Public Order Act 1986, Cross Heading: Inflammatory material is up to date with all changes known to be in force on or before 12 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

29H Powers of entry and search

- (1) If ^{F3} . . . a justice of the peace is satisfied by information on oath laid by a constable that there are reasonable grounds for suspecting that a person has possession of written material or a recording in contravention of section 29G, the justice may issue a warrant under his hand authorising any constable to enter and search the premises where it is suspected the material or recording is situated.
- (2) ^{F4}
- (3) A constable entering or searching premises in pursuance of a warrant issued under this section may use reasonable force if necessary.
- (4) In this section “premises” means any place and, in particular, includes—
 - (a) any vehicle, vessel, aircraft or hovercraft,
 - (b) any offshore installation as defined in section 12 of the Mineral Workings (Offshore Installations) Act 1971, and
 - (c) any tent or movable structure.

Textual Amendments

F3 Words in s. 29H(1) repealed (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 74, 149, 153(1)(j), Sch. 16 para. 12(2), [Sch. 28 Pt. 5](#)

F4 S. 29H(2) repealed (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 74, 149, 153(1)(j), Sch. 16 para. 12(3), [Sch. 28 Pt. 5](#)

29I Power to order forfeiture

- (1) A court by or before which a person is convicted of—
 - (a) an offence under section 29B relating to the display of written material, or
 - (b) an offence under section 29C, 29E or 29G,
 shall order to be forfeited any written material or recording produced to the court and shown to its satisfaction to be written material or a recording to which the offence relates.
- (2) An order made under this section shall not take effect—
 - (a) ^{F5} . . . until the expiry of the ordinary time within which an appeal may be instituted or, where an appeal is duly instituted, until it is finally decided or abandoned;
 - (b) ^{F6}
- (3) For the purposes of subsection (2)(a)—
 - (a) an application for a case stated or for leave to appeal shall be treated as the institution of an appeal, and
 - (b) where a decision on appeal is subject to a further appeal, the appeal is not finally determined until the expiry of the ordinary time within which a further appeal may be instituted or, where a further appeal is duly instituted, until the further appeal is finally decided or abandoned.
- (4) ^{F7}

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Textual Amendments

- F5** Words in s. 29I(2)(a) repealed (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 74, 149, 153(1)(j), [Sch. 16 para. 13\(2\)\(a\)](#), [Sch. 28 Pt. 5](#)
- F6** S. 29I(2)(b) repealed (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 74, 149, 153(1)(j), [Sch. 16 para. 13\(2\)\(b\)](#), [Sch. 28 Pt. 5](#)
- F7** S. 29I(4) repealed (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 74, 149, 153(1)(j), [Sch. 16 para. 13\(3\)](#), [Sch. 28 Pt. 5](#)

29J Protection of freedom of expression

Nothing in this Part shall be read or given effect in a way which 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.

[^{F8}29JA] Protection of freedom of expression (sexual orientation)

[In this Part, for the avoidance of doubt, the discussion or criticism of sexual conduct or ^{F9}(1)] practices or the urging of persons to refrain from or modify such conduct or practices shall not be taken of itself to be threatening or intended to stir up hatred.]]

[^{F10}(2) In this Part, for the avoidance of doubt, any discussion or criticism of marriage which concerns the sex of the parties to marriage shall not be taken of itself to be threatening or intended to stir up hatred.]

Textual Amendments

- F8** S. 29JA inserted (8.5.2008) by [Criminal Justice and Immigration Act 2008 \(c. 4\)](#), ss. 74, 153(1)(j), [Sch. 16 para. 14](#)
- F9** S. 29JA(1): s. 29JA renumbered as s. 29JA(1) (13.3.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), [Sch. 7 para. 28\(2\)](#); S.I. 2014/93, art. 3(k)(ii)
- F10** S. 29JA(2) inserted (13.3.2014) by [Marriage \(Same Sex Couples\) Act 2013 \(c. 30\)](#), s. 21(3), [Sch. 7 para. 28\(3\)](#); S.I. 2014/93, art. 3(k)(ii)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4B inserted by [2023 c. 47 s. 1](#)