



Public Order Act 1986

1986 CHAPTER 64

PART III

RACIAL HATRED

Acts intended or likely to stir up racial hatred

[^{F1}21 Distributing, showing or playing a recording.

- (1) A person who distributes, or shows or plays, a recording of visual images or sounds which are threatening, abusive or insulting is guilty of an offence if—
 - (a) he intends thereby to stir up racial hatred, or
 - (b) having regard to all the circumstances racial hatred is likely to be stirred up thereby.
- (2) In this Part “recording” means any record from which visual images or sounds may, by any means, be reproduced; and references to the distribution, showing or playing of a recording are to its distribution, showing or playing of a recording are to its distribution, showing or playing to the public or a section of the public.
- (3) In proceedings for an offence under this section it is a defence for an accused who is not shown to have intended to stir up racial hatred to prove that he was not aware of the content of the recording and did not suspect, and had no reason to suspect, that it was threatening, abusive or insulting.
- (4) This section does not apply to the showing or playing of a recording solely for the purpose of enabling the recording to be [^{F2}included in a programme service].]

Textual Amendments

- F1** Ss. 18-21 repealed (S.) (1.4.2024) by [Hate Crime and Public Order \(Scotland\) Act 2021 \(asp 14\)](#), s. 21(2), [sch. 2 para. 1\(2\)](#); S.S.I. 2024/82, reg. 2 (with reg. 3)
- F2** Words substituted by [Broadcasting Act 1990 \(c. 42, SIF 96\)](#), s. 164(2)

Changes to legislation:

Public Order Act 1986, Section 21 is up to date with all changes known to be in force on or before 19 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.

[View outstanding changes](#)

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](#)