



# Anti-terrorism, Crime and Security Act 2001

## 2001 CHAPTER 24

### PART 5

#### RACE AND RELIGION

#### <sup>F1</sup>37 Meaning of racial hatred

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##### Textual Amendments

<sup>F1</sup> S. 37 repealed (21.7.2008) by [Statute Law \(Repeals\) Act 2008 \(c. 12\)](#), [Sch. 1 Pt. 3](#)

#### <sup>F2</sup>38 Meaning of fear and hatred

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##### Textual Amendments

<sup>F2</sup> S. 38 repealed (21.7.2008) by [Statute Law \(Repeals\) Act 2008 \(c. 12\)](#), [Sch. 1 Pt. 3](#)

#### 39 Religiously aggravated offences

- (1) Part 2 of the Crime and Disorder Act 1998 (c. 37) is amended as set out in subsections (2) to (6).
- (2) In the cross-heading preceding section 28 for “Racially-aggravated” substitute “Racially or religiously aggravated”.
- (3) In section 28 (meaning of racially aggravated)—

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*Changes to legislation: There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Part 5. (See end of Document for details)*

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- (a) in the sidenote and subsection (1) for “racially aggravated” substitute “racially or religiously aggravated”;
  - (b) in subsections (1) and (2) for “racial group” substitute “ racial or religious group ”;
  - (c) in subsection (3) for the words from “on” to the end of the subsection substitute “ on any other factor not mentioned in that paragraph. ”
- (4) In section 28 after subsection (4) insert—
- “(5) In this section “religious group” means a group of persons defined by reference to religious belief or lack of religious belief.”
- (5) In each of the provisions listed in subsection (6)—
- (a) in the sidenote for “Racially-aggravated” substitute “ Racially or religiously aggravated ”;
  - (b) in subsection (1) for “racially aggravated” substitute “ racially or religiously aggravated ”.
- (6) The provisions are—
- (a) section 29 (assaults);
  - (b) section 30 (criminal damage);
  - (c) section 31 (public order offences);
  - (d) section 32 (harassment etc.).
- (7) <sup>F3</sup> .....
- (8) <sup>F4</sup> .....

#### Textual Amendments

- F3** S. 39(7) repealed (4.4.2005) by [Criminal Justice Act 2003 \(c. 44\)](#), ss. 332, 336, **Sch. 37 Pt. 7**; S.I. 2005/950, **art. 2(1)**, Sch. 1 paras. 27, 44(4)(u) (subject to art. 2(2), Sch. 2 (as amended by S.I. 2005/2122, art. 2))
- F4** S. 39(8) repealed (1.1.2006) by [Serious Organised Crime and Police Act 2005 \(c. 15\)](#), ss. 174, 178, **Sch. 17 Pt. 2**; S.I. 2005/3495, **art. 2(u)(xlvii)**

## 40 Racial hatred offences: penalties

In section 27(3) of the Public Order Act 1986 (c. 64) (penalties for racial hatred offences) for “two years” substitute “ seven years ”.

## 41 Hatred and fear offences: penalties

In Article 16(1) of the Public Order (Northern Ireland) Order 1987 (S.I. 1987/ 463 (N.I. 7)) (penalties for offences involving stirring up hatred or arousing fear) for “2 years” substitute “ 7 years ”.

## 42 Saving

This Part does not apply to anything done before it comes into force.

**Changes to legislation:**

There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Part 5.