

Response ID ANON-Z841-1VUH-U

Submitted to Justice Bill

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Introduction

What is your name?

Name:

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What is your email address?

Email:

If you are providing a submission on behalf of an organisation or business, please state its name.

Organisation:

National Secular Society

The Committee for Justice has agreed to publish all responses as part of the survey results. If you would like to have your survey results anonymised and for us not to publish your name or organisation, please indicate so here.

I am content for my information, including details of my name and organisation, to be published in the survey results.

Any other comments on the Bill?

Do you have any other comments or views on the Justice Bill?

Yes

Please provide any other comments or views you have on the Justice Bill here::

Northern Ireland is the only nation in the UK where 'blasphemy' and 'blasphemous libel' remain common law offences. Blasphemy laws were abolished in England and Wales in 2008 and in Scotland in 2021. The Republic of Ireland abolished its blasphemy laws in 2020.

We urge the Northern Ireland assembly to pass an amendment to the Justice Bill to the repeal these offences.

If blasphemy laws are to be repealed, any potential new offences relating to the stirring up of hatred must be accompanied by robust and explicit protection of freedom of expression clauses, as they are in England, Wales and Scotland.

We understand that the recommendations of Judge Marrinan's Review of Hate Crime Legislation Report, published in 2020, have informed previous deliberations around blasphemy laws in Northern Ireland.

This is deeply concerning given that Recommendation 14 of the review reads: "there should be no express defences for freedom of expression in relation to religion, sexual orientation or any other of the protected characteristics."

We believe that robust criticism and mockery of religion, which may be considered 'abuse' by some, should be protected as free speech – and this should be made explicit in the legislation.

In 2024, a report (Reference A/79/284) from the UN Secretary-General concluded: "Any national restrictions to freedom of expression must be formulated with the sole purpose and outcome of protecting individuals, rather than to shield religious doctrine from critical review."

In Recommendation 1805 (2007), the Parliamentary Assembly of the Council of Europe stated: "the Assembly considers that blasphemy, as an insult to a religion, should not be deemed a criminal offence."

It is the position of the National Secular Society that blasphemy laws are incompatible with Article 10 of the European Convention on Human Rights, and Article 19 of the International Covenant on Civil and Political Rights – both of which enshrine the right to freedom of expression.

The National Secular Society understands that, as of 2024, the Alliance Party, the Social Democratic and Labour Party, and Sinn Féin all endorsed the repeal of blasphemy laws.

Blasphemy laws have no place in any country, and especially in 21st century Northern Ireland. They are illiberal, anachronistic and incompatible with the fundamental human rights to freedom of expression and freedom of religion or belief.

The presence of blasphemy laws in Northern Ireland undermines efforts to repeal blasphemy laws worldwide. Blasphemy laws are used to persecute religious minorities, the non-religious, those who leave or change their religion, or simply those who speak their mind. The Humanists International 2024

Freedom of Thought Report found blasphemy or apostasy is punishable by death in ten countries.

As long as blasphemy laws remain on the books, there is always the risk that they may be invoked to silence criticism or ridicule of religion within Northern Ireland. In 2014, Newtownabbey Borough Council in NI banned a play about the Bible on the grounds that it was "blasphemous".

In the Republic of Ireland an attempt to arrest Stephen Fry was made in 2015 under the Defamation Act 2009, which at the time outlawed "utterance of blasphemous matter", by a person offended by Fry's comments about religion.

The existence of blasphemy laws sends the dangerous and anti-democratic message that offence-takers have the right to censor that which offends their religious beliefs.

Abolishing its blasphemy laws would send a message that Northern Ireland is committed to the values of free speech, tolerance, democracy and freedom of conscience. It would also send a message to other countries that employ blasphemy laws that such laws are unacceptable in the 21st century, and so help to end global persecution in the name of religion.