



SPEAK UP

A BRIEF GUIDE TO THE LAW
AND YOUR GOSPEL FREEDOMS



Why this? Why now?

The good news of Jesus is something we all have a part in sharing. Through our everyday lives – in the local playground, at the bus stop or over a cup of tea – we all have amazing opportunities to introduce people to Jesus.

We won't always be sure how it will be received, but the Christian message must be proclaimed. Romans 10:14¹ says: "And how can they believe in the one of whom they have not heard? And how can they hear without someone preaching to them?" In this country we've got the freedom and privilege of being able to speak up and demonstrate the love of God and the transforming power of Jesus in our communities.

"Go into all the world and preach the good news to all creation"

(Mark 16:15)

We want to give you confidence to speak up. Sometimes Christians may face hostility or rejection, but we also have many rights and freedoms. This resource aims to equip Christians wishing to share their faith by providing a clearer understanding of the current legal freedoms we have. It also encourages us to follow Jesus' advice to his disciples to speak confidently and to be "as shrewd as snakes and as innocent as doves" (Matthew 10:16).

The 'Talking Jesus' research showed that in the UK one in five non-Christians, after having a conversation with a Christian about Jesus, say that they are open to an encounter with Jesus. This is a huge opportunity. Amid the religious illiteracy, confusion, and attempts by some to 'chill' the atmosphere for the public expression of Christianity in the UK, we hope this resource will provide a clearer picture of the wonderful freedoms we all have to talk about Jesus.

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Guidance not legal advice

The content of this resource is guidance and cannot replace specific legal or pastoral advice addressing individual circumstances.

None of the authors or contributors accept any responsibility for reliance placed upon it, because every different opportunity to share faith will have its own context and nuances. The guidance contained in this resource is necessarily general and cannot predict the many particular opportunities to share faith that may arise.

The law is changing all the time. We will seek to update substantive changes to the law on our website, www.eauk.org/speakup, where you can also find the full resource, more detailed information and links to other helpful organisations. Please refer to this website to clarify any of the information and guidance below.

Importantly, should you have concerns about the possible legal consequences of a particular course of action, then it will be wise to seek specific advice first and to act second.



What does the law say?

The strength of the legal protection to speak freely about Jesus Christ and all topics affecting freedom of conscience and belief is very considerable indeed.

Freedom to share, discuss and debate religious beliefs has benefited from legal protection for many centuries. The protection that exists today covers the spoken word and written publications, including online content. It ranges from protecting a street preacher, to allowing a billboard displaying Bible verses, to ensuring a conversation in a home can occur without inhibition.

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The protection is found in the principles of the common law, in domestic legislation like the Public Order Act 1986 and in European legislation – principally the European Convention of Human Rights (ECHR) which was incorporated into British law by the Human Rights Act 1998. The 2016 referendum on membership of the EU does not affect the UK's status as a signatory to the ECHR.

Articles 9 and 10 of the ECHR (see facing page) are now the primary source of protection for Christians wanting to share the gospel of Jesus in many different situations, although there are other laws and statutes which are also relevant.

This is not to say that there are no restrictions or limitations, however, and some of the qualifications that exist are outlined in this resource, but in general, you have a lot more freedom than you may think.

Article: A paragraph or section of a legal document often outlining a specific rule or regulation e.g. Article 9 of the European Convention of Human Rights.

Statute: A written law passed by a legislative body such as parliament.



Our freedoms

ARTICLE 9

Freedom of thought, conscience and religion

1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.
2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 10

Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises
2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

<http://bit.ly/ECHumanRights>



Sharing the gospel in private spaces



WHAT CAN I SAY AT CHURCH?

There is an almost unlimited freedom to speak about all Christian matters from the pulpit. However hard-hitting or provocative, Christians are entitled to talk about and share their faith in church. The only potential limits provided by the law relate primarily to preventing speech that incites violence. Preachers/teachers should be aware that if their sermons are to be made available online, the restrictions listed below concerning online content will apply.



ARE THERE ANY RESTRICTIONS ON WHAT I CAN SAY IN MY HOME?

Leading a Bible study group or a course based on the Bible from your home or witnessing to people under your own roof will not face any restrictions.

The provisions of the Public Order Act 1986 do apply to words or behaviour in a private dwelling as well as words or behaviour in public. For that reason, the principles discussed below, in the section on 'Sharing the gospel in public', are relevant. However, because the right to freedom of speech in the home is so important, there are additional exceptions and defences in the Public Order Act which mean that you can say certain things in your own home that you would not be allowed to say in public.



WHAT CAN I SAY IN SOMEONE ELSE'S HOME?

When you have been invited into someone else's home, and are there as a guest, the privilege and blessing of another person's hospitality brings with it added responsibility to behave sensitively and thoughtfully when taking any opportunity to share the gospel.

If you have knocked on a neighbour's door and asked if they know about your church or faith and have been invited to share, do so with gentleness and respect. If at any time you are asked to leave or the person says that they are not interested, then you must also respect that wish.



WHAT CAN I SAY ON PRIVATE PROPERTY?

Private property is any place that is owned by someone or some organisation that is non-governmental. This could include, for example, a shopping centre or private function room, a hotel room or a church hall. Where the private property in question belongs to a Christian or Christian organisation, the principles set out above on church and your own home will apply and it is hard to envisage any restrictions on discussing or sharing your faith.

Where a commercial venue, such as a hotel or conference centre, is hired for the purposes of a Christian meeting, it is possible that issues may arise with regard to freedom of expression. However, under Part 3 of the Equality Act 2010 it is unlawful for a private venue to discriminate against Christians by refusing to offer its services or by offering its services on less favourable terms than it would offer them to non-Christians. For instance, a conference facility could not agree to hire a room to a church on condition that the church refrained from discussing controversial topics on the premises if a similar rule was not imposed on others.



Sharing the gospel at work

In the vast majority of cases, employers will have little problem with Christian employees sensitively discussing Jesus and religious issues with workmates in the same way that they might talk about sport, hobbies and family life. The employer's desire is to ensure that all their employees work together well. Giving employees freedoms in the workplace helps with wellbeing and can ensure a happier, better-performing workforce.

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That said, there is no doubt that sharing your faith at work calls for wisdom and consideration. If done aggressively or in circumstances where a colleague has made it clear they do not wish to participate, an employer may take objection and, in rare cases, disciplinary processes could result. If you are in a position of authority you should never abuse that power.

Here are 10 top tips for sharing your faith sensitively and effectively.

WHAT CAN I SAY AT WORK AND HOW SHOULD I SAY IT?

1. Remember what you're there for

You should not do it at the expense of the duties you are employed to carry out. There is no substitute for telling others about God's salvation plan for them, but there will be particular times and workplaces where this may not be possible or wise. Continue to pray for opportunities and, while waiting for them, let your Christ-like actions and attitudes continue. If you can continue to be salt and light by your actions, you are laying a stronger foundation for your verbal witness when that God-given opportunity arises.

2. Pray

Before proceeding it's always wise to ask God for wisdom, guidance, words, opportunities etc. Are you praying for your colleagues, clients, customers before speaking to them about Jesus? Are you praying during your conversations and after?

Can I pray for a colleague?

There are different ways of handling this but sensitivity is crucial. Gently suggesting that you will be thinking and praying for someone is less likely to cause an issue than asking someone if they want to stop and pray about a situation there and then, but it will not be as strong a witness. As in all such circumstances context is important. Be wary of stepping too far outside normal workplace boundaries. It may be far more appropriate to offer prayer outside of work itself.

3. Choose your time and place

The more removed a conversation is from the workplace, the less concern it is for an employer. Therefore, you may want to suggest carrying on a conversation outside working hours and outside the workplace.

4. Bring Jesus in

Religious beliefs have protection that other beliefs do not. If you are expressing an opinion that is informed by your Christian beliefs, you have greater legal protection than if it is simply expressed as your opinion on a topic. Therefore, there is good reason not to be shy about how your faith informs your opinions.

5. Be gentle

An opinion expressed gently will be better received and more difficult to criticise. The Christian message is not one of argumentative provocation but one of loving challenge. As Timothy and Paul said, we should "let [our] gentleness be evident to all" (Philippians 4:5). Even a sceptical employer will be hard pushed to criticise a message about Jesus that has been delivered in a moderate tone of voice using non-condemnatory language.

6. Don't lecture

It is unlikely that we will ever brow-beat someone into giving their life to Christ. A dialogue is less likely to cause an issue than a monologue, confrontation or argument. Rather than stating your opinion as a blunt fact, put it in context – help them understand how and why you reached your conclusion, share your personal testimony and let them ask questions.

7. Avoid passing judgement on others

Christians are called to speak the truth and not be ashamed of our faith. However, be wise about how you express the Bible's teaching concerning people's behaviour and be careful not to be perceived as judging them personally. Only God knows the hearts of men and women and only He has the authority to judge them, so pray for words of "compassion, kindness, humility, gentleness and patience" (Colossians 3:12).

8. Develop good habits

Foster a culture of conversation about faith. The more such discussions are commonplace, the less it will be felt to be 'wrong'. Ongoing natural discussions are better than forced, isolated occasions.

9. Respect your colleagues' wishes

If a colleague makes it clear that faith discussions are unwelcome, you should not pursue them, nor should you treat that individual unfavourably as a result of their stance. If you are in a position of authority you must not abuse that power. Always check that a person is happy to engage in/continue with a conversation about your faith. Reassure them periodically that it is fine for them to end the conversation when and if they want to.

10. Treat others as you would have them treat you

Always ensure that the same respect you would wish to be afforded to you and your Christian faith, you afford to others and their faith (or indeed lack of faith). You cannot expect an employer to give preferential treatment to the Christian faith in a diverse workplace or to deny your colleagues the same workplace rights and freedoms that you enjoy.

What do I do if I become aware of an issue between me and my employer?

If an issue arises, it helps to have good written records of what has happened. Consider having someone come with you to meetings to take notes. It may be wise to seek legal advice and support at an early stage. You may be able to get some assistance from Unions, ACAS and Citizens Advice Bureaux. The Lawyers Christian Fellowship and the Law Society both have online “find a solicitor” functions to help you find someone in your area who may be able to help.



Sharing the gospel in public

WHAT CAN I SAY ON THE STREET?

There is a well-established freedom, protected by UK law, to preach on a public street. Before you start:

- 1 Check that you are in a public place and not on someone else’s land (where you might be trespassing). The land around shopping centres which may appear to be a public street can be part of the development’s private land.
- 2 If you are preaching in public parks, check the bylaws at the entrance to confirm that there is no bylaw against it.
- 3 Maintain a good relationship with the local town council and make them aware of what you are doing.

Christian beach missions, holiday clubs, tent missions and camps are welcomed by local communities and councils and protected by law. Please check with your local council for any relevant permission or licences that may be required. However, be aware that certain secularist groups and individuals actively seek to ban the expression of religion in public spaces.

Scotland also has additional laws that apply to public preaching. Find out more on our website eauk.org/speakup

IS IT OK TO TALK ABOUT JESUS EVEN IF IT OFFENDS SOMEONE?

The law does not allow a street preacher to be silenced simply because someone listening is offended or upset. However, if your evangelism is greeted with hostility and provocation it would be wise to consider how effective it is to continue preaching in that way in that place at that time.

Sometimes continuing to speak boldly will be the right thing to do. On other occasions varying the tone of what is being said or offering to have a more private discussion with the bystanders may be the most Christ-like response.

→ Remember, most of Jesus' hard words were reserved for the hypocritical religious hierarchy. To the crowds of non-believers Jesus met, his approach was intriguing, questioning, compassionate and patient. In trying to reach people for Jesus through public ministry we will want to seek to be winsome and loving.



Advertising and printed materials

WHAT ABOUT USING WRITTEN MATERIALS IN PUBLIC?

Christians are free to use banners, tracts and posters or hand out leaflets on the streets advertising a service. The Public Order Act 1986 does apply to situations in which a person “displays any writing, sign or other visible representation,” and there is a specific offence created by section 29C where a person publishes or distributes written material that is threatening, in circumstances where they intend to stir up religious hatred or hatred on the grounds of sexual orientation. However, seeking to evangelise with Christian banners and leaflets should not normally pose any difficulty.

Christians will, naturally, want to consider what sort of written materials will be most effective and will most reflect the compassionate tone of Jesus’ ministry.

IS IT OK FOR CHRISTIANS TO ADVERTISE?

The same principles and laws already covered apply to printed materials, but advertising is also subject to a further level of regulation. It is worth noting that in law the definition of an advert includes advertisements for things that are being offered for free, so a flyer inviting people to a free church service can still constitute an advert.

There is a code of practice, set up by the Committee of Advertising Practice (CAP), that covers printed and electronic advertisements, such as text message and e-mail adverts, as well as online adverts (including messages from the organisation on Facebook and Twitter). The code does not apply to other website content such as editorial comments, news or public relations material, so it would not apply to a sermon podcast. The overarching purpose of the Code is to ensure “marketing communications are legal, decent, honest and truthful”.

Adverts broadcast on radio or television also come under the regulations of the Office of Communications (Ofcom), which tend to be stricter.

ADVERTISEMENTS RELATING TO HEALING

The Advertising Standards Authority (ASA) has taken a particular interest in adverts referring to God's power to heal. Any adverts inviting people to a healing service should be worded in a careful and appropriate way. Christians will be the first to want to promote responsible advertising and are well aware that prayer and medical advice are complementary, not mutually exclusive. It is unwise to promise or offer healing of particular diseases, and due to the Cancer Act 1939 it may be illegal to use the word 'cancer' anywhere in your advertising.

Churches and Christian organisations should not be afraid of attesting to a general belief in the power of a living God to heal. Consider using wording along the lines of 'We believe that God loves you and can heal you' or 'We believe that God can heal you and bring you peace of mind'.



What can i say on social media?

It is a criminal offence to send "by means of a public electronic communications network" a message that is 'grossly offensive' or 'indecent, obscene or menacing'. In other words, where hateful and threatening comments are distributed on social media, a risk of prosecution exists, even if those messages are cloaked in the language of religion.

This should never apply to communications by a Christian which simply and graciously witness to the Bible's teaching, even those aspects of the Bible that are considered offensive or insulting by some.

The golden rule suggested by Kevin DeYoung is: *assume that everyone, everywhere will read what you write and see what you post*. As Christians we still represent Christ for real even in the virtual world. But be careful not to say anything online that you wouldn't say to someone's face.

Conclusion

The gospel is central to the purpose and identity of every believer. It's our USP. Our *raison d'être*. Introducing people to Jesus is the highest act of love that one human being can do for another. Throughout history, this love-fuelled imperative of evangelism has marked Christians out and compelled great acts of faith. Indeed, our story is part of this bigger story, and we all have a role to play.

Every follower of Christ today exists because someone, somewhere at some time introduced them to Jesus.

Evangelism is not a problem for our society. It is a sign of its health and freedom. It should be celebrated, not denigrated. And we have good news about the good news. Despite the fog and the fear, this publication and the accompanying web resources show that we enjoy many freedoms to share our faith today.

Let us be encouraged to use wisely the liberties that have been so hard-won for us, and engage in confident and fruitful evangelism in every area of life. Let's speak up.

Introducing people to Jesus is the highest act of love that one human being can do for another.

Key documents referred to in this resource

Equality Act 2010: <http://bit.ly/EQAct2010>

European Convention of Human Rights (ECHR): <http://bit.ly/ECHumanRights>

Human Rights Act 1998: <http://bit.ly/HRAct1998>

Public Order Act 1986: <http://bit.ly/POAct1986>

Other resources

A more comprehensive version of this booklet can be found on our website, www.eauk.org/speakup, where you will also find additional links and information.

"Confusion, fear and misinformation are causing many Christians to lose their nerve in speaking openly about Jesus in the UK today. This crucial piece of work sets the record straight and encourages us to make sure that we are a people who speak up for Jesus as well as living out his love."

John Risbridger, minister and team leader,
Above Bar Church, Southampton and chair of Keswick Ministries

"I have never felt constrained from sharing my faith, by words or deeds, in the UK and this excellent booklet explains why: we do have legal protection to share the gospel. This guidance should make us bolder, although as the text reminds us, we should also be wise and gentle."

Gary Streeter, MP and chair of Christians in Parliament

"We do not need to be ashamed of the gospel in the UK today! I welcome this timely new resource because there is a great deal of scare-mongering and misinformation about our right as Christians in the UK to share our faith in Jesus. This booklet helps bring clarity where there may be confusion. It's time to stand up to the bullies, not to shut up but rather to 'Speak Up' for Jesus without fear of legal reprisal."

Pete Greig, 24-7 Prayer International



GREAT COMMISSION

**A new mission hub from the Evangelical Alliance
launching autumn 2016...**

- ▶ Sharing inspiring stories of lives transformed by Jesus throughout the UK
- ▶ Signposting you to a wide range of evangelistic initiatives, tools, resources and stories
- ▶ Equipping you to be talking about Jesus more
- ▶ Encouraging us all to be praying more for those who don't yet know Jesus

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