

# Section 5 reform to come into effect in February

Posted: Wed, 4th Dec 2013

A free speech reform backed by The National Secular Society will come into effect on 1 February next year.

From that date the word "insulting" will be removed from Section 5 of the Public Order Act – a provision that permitted the police to arrest people because someone else thought their words or behaviour "insulting". This resulted in people being arrested for preaching against homosexuality in the street and, in one case, for calling a policeman's horse "gay". Others had been arrested for calling Scientology "a cult" and for saying "woof" to a dog.

The NSS worked together with the Christian Institute and others to campaign against the "insulting" provision and after a hard-fought effort, the Government agreed to the reform.

Despite Government resistance, the House of Lords overwhelmingly supported reforming Section 5 in December last year, voting 150 to 54 in favour of an amendment to remove the word "insulting".

In January the Government gave way and agreed to the move, which will now come into place following guidance for police forces on the change.

Other supporters of Reform Section 5 campaign included comedian Rowan Atkinson and the Peter Tatchell Foundation.

Simon Calvert, the Campaign Director for Reform Section 5 (RS5), said: "We are delighted that this important change will come into force soon. We campaigned for this change because we believe that while insults are rude and we'd like to see fewer of them, the police and courts really don't need to get involved. This campaign was an unusual alliance, but we all agreed that Section 5 needed reforming for the sake of free speech."

However Mr Calvert warned that under the new Anti-social Behaviour, Crime and Policing Bill sweeping new powers could be a fresh challenge to free speech. Under Clause 1 of the Bill, ASBOs (Anti-Social Behaviour Orders) would be replaced by Injunctions to Prevent Nuisance and Annoyance (IPNAs).

The law is so broad and the safeguards are so weak that the proposed new law could catch legitimate public protest.

One senior lawyer, Lord Macdonald QC, has [warned](#) the proposals are extremely broad and could result in "serious and unforeseeable interferences in individual rights, to the greater public detriment".

The NSS again has joined a coalition of groups to [oppose this development](#).

- [Share on What's App](#)
- [Share on Facebook](#)
- [Share on Twitter](#)
- [Share on Email](#)

- [Subscribe to RSS Feed](#)

Tags: [Free speech](#)

## Related Campaigns

- 

### [Protect freedom of expression](#)

We promote free speech as a positive value.

[Read More](#)

## Related Articles

### [Response unit needed to tackle blasphemy flashpoints, report says](#)

Recommendations echo NSS calls for more support for schools facing religious intimidation and threats. [Read More »](#)

### [NSS address urges UN to call for government action on human rights](#)

Religious privilege is undermining rights of UK citizens, NSS tells UN committee. [Read More »](#)

### [Anti-blasphemy extremism “gaining momentum” in UK, report warns](#)

Counter-extremism report recommends review of religious charities linked to anti-blasphemy activism. [Read More »](#)

### [New extremism definition may put free speech at risk, NSS warns](#)

Proposed definition could 'label secularists as extremists'. [Read More »](#)

## **A state Church is no bulwark against extremism – but secularism is**

With its commitment to the separation of religion and state and safeguarding the rights of all individuals, secularism can provide an effective defence against the spread of extremism, says Stephen Evans. [Read More »](#)