

# The Right to Freedom of Religion and Belief



Article 9 of the Human Rights Act.

The right to freedom of religion and belief is one of the 16 human rights (also called Articles) in the Human Rights Act.

## When could the right to freedom of religion and belief matter to me?



If staff in a public service (for example a care worker, nurse or social worker) is stopping you going to church, mosque, temple, synagogue or any other place of worship.



If you have a religious diet, for example you eat Kosher or Halal food and a public service doesn't respect this.



If you are vegetarian and a public service doesn't respect this.



If you are being bullied because of your religion or belief and a public service doesn't do anything to stop this.

## Can your right to freedom of religion and belief be restricted?



You can think or believe what you want. No public service can stop you doing this.



But when we do things because of our religion or beliefs it has to respect other people's rights.

The right to religion and belief can never be taken away from you. But sometimes public services and staff working for them can limit the actions you take because of your religion or beliefs. They can do this, if those actions could cause harm to you or somebody else.

If your right to freedom of religion and belief is going to be limited, a 3-stage test needs to be passed:



**1. Lawful:** There must be a law which allows staff to limit this right.

**2. For a good reason:** There must be a good reason which is usually to protect you or other people.



**3. Thought about properly:** Staff must think about all the things they could do and pick the least restrictive one. You should be involved in these talks.





You can talk to staff in a public body about what they decided or did. You can ask them to tell you if this met this 3 stage test.



If you think changes could be made which mean that your right to religion and belief would be better protected, then you can tell staff in a public body. There might be other things they can do.

## What do staff in public services have do about my right to freedom of religion and belief?

They have to **RESPECT** your right.



This means they should respect your religion or beliefs as much as possible.



They have to **PROTECT** your right.

This means that they should make sure people can do things like go to church, mosques, temples and other places of worship, wear religious clothing and talk about their beliefs.

They should also make sure people aren't bullied or treated differently because of their religion or belief.



To **FULFIL** your right.

This means that when things go wrong, staff should look into it and stop it from happening again.

## Nadia's Story



Nadia is Christian. She works in customer services for British Airways.



Nadia wants to wear a crucifix necklace to work. Her bosses say she can not wear one.



Nadia took her bosses to court. She said they had treated her differently to other people by stopping her wearing the necklace.



The UK courts agreed with Nadia's bosses, so she went to the European Court of Human Rights and said that her right to freedom of religion and belief was not being respected.





The judges in the European Court of Human Rights agreed with Nadia and said that the UK courts had not thought enough about her right to freedom of religion and belief. The Court said the UK should pay Nadia £1,600 in damages.