Criminal Detention in the EU Conditions and Monitoring

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
United Kingdom	2018	United Kingdom / R v Fransen and Golding	/en/databases/criminal-detention/www.thelawpages.com/court-cases/JF-22353-1.law%20__www.bbc.co.uk/news/uk-england-43320121	Religion	Magistrates Court	The defendants in this case were Paul Golding and Jayda Fransen, the leader and deputy-leader (respectively) of far-right group, Britain First. In May 2017, as four Muslim men stood trial for the gang rape of a 16 year girl in Kent, the defendants distributed leaflets and posted videos of themselves aggressively confronting people they believed to be the men on trial and targeting what they believed to be their homes. The videos were posted on Britain First's website and Facebook page and included remarks such as, "Dirty Muslim rapist, come out, we're not going to leave until you're gone, come out. Dirty scumbags."	Jayda Fransen received a nine month custodial sentence and Pail Golding received an 18 weeks custodial sentence.	The prosecution argued, inter alia, that the defendants were not merely exercising their right to free speech but were instead aiming religiously-aggravated abuse at innocent members of the public.	This was an important case as Britain First are one of the most prominent Anti-Muslim groups in the UK. Additionally, many far right groups use similar tactics in their activism and use the technique of identifying, sometimes incorrectly, Muslim defendants to stir up hatred.	"I am sure that when Miss Fransen and Mr Golding decided to come to Kent, their reason was not because four men were on trial for the rape of a 16-year-old child. The reason for their decision was the men included Muslim immigrants. I have no doubt it was the joint intention to use the case for their own ends. It was a campaign to draw attention to the race, religion and immigrant background of the defendants ... I have no doubt that Miss Fransen and Mr Golding demonstrated, by their words and actions, hostility to those of the Muslim faith."

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http://fra.europa.eu/en/databases/criminal-detention/

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