



Ecclesiastical Courts Jurisdiction Act 1860

1860 CHAPTER 32 23 and 24 Vict

An Act to abolish the jurisdiction of the Ecclesiastical Courts
F1
in England and Ireland in certain Cases of Brawling. [3rd July 1860]

Textual Amendments

F1 Words omitted under authority of [Statute Law Revision Act 1892 \(c. 19\)](#)

Modifications etc. (not altering text)

- C1 Short title given by [Short Titles Act 1896 \(c. 14\)](#)
- C2 Preamble omitted under authority of [Statute Law Revision Act 1892 \(c. 19\)](#)
- C3 This Act is not necessarily in the form in which it has effect in Northern Ireland

1 F2

Textual Amendments

F2 [S. 1](#) repealed by [Ecclesiastical Jurisdiction Measure 1963 \(No. 1\)](#), [Sch. 5](#)

2 **Penalty on persons found guilty of making a disturbance in churches, chapels, churchyards, or burial grounds.**

Any person who shall be guilty of riotous, violent, or indecent behaviour in England or Ireland in any cathedral church, parish or district church or chapel of the Church of England . . . F3, or in any chapel of any religious denomination, or in England in any places of religious worship duly certified under the provisions of the ^{M1}Places of Worship Registration Act 1855, whether during the celebration of divine service or at any other time, or in any churchyard or burial ground, or who shall molest, let, disturb, vex, or trouble, or by any other unlawful means disquiet or misuse any preacher duly authorized to preach therein, or any clergyman in holy orders ministering or celebrating any sacrament, or any divine service, rite, or office, in any cathedral,

Status: Point in time view as at 01/04/2005.

Changes to legislation: Ecclesiastical Courts Jurisdiction Act 1860 is up to date with all changes known to be in force on or before 11 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

church, or chapel, or in any churchyard or burial ground, shall, on conviction thereof [^{F4}by a magistrates' court], be liable to [^{F5}a fine not exceeding][^{F6}level 1 on the standard scale][^{F7}or to imprisonment for a term] not exceeding two months.

Textual Amendments

- F3** Words omitted by virtue of [Irish Church Act 1869 \(c. 42\), s. 69](#)
- F4** Words in s. 2 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), s. 110\(1\), Sch. 8 para. 37\(a\)](#); S.I. 2005/910, art. 3(y)
- F5** Words in s. 2 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), s. 110\(1\), Sch. 8 para. 37\(b\)](#); S.I. 2005/910, art. 3(y)
- F6** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48\), ss. 38, 46](#) and (N.I.) by S.I. 1984/703 (N.I. 3), [arts. 5, 6](#)
- F7** Words in s. 2 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), s. 110\(1\), Sch. 8 para. 37\(c\)](#); S.I. 2005/910, art. 3(y)

Marginal Citations

- M1** 1855 c. 81.

3 Offenders may be, immediately after offence committed, apprehended, etc.

Every such offender in the premises after the said mis-demeanor so committed immediately and forthwith may be apprehended and taken by any [^{F8}constable or] church warden of the parish or place where the said offence shall be committed, and taken before a [^{F9}magistrates' court], to be dealt with according to law.

Textual Amendments

- F8** Words repealed (E.W.) by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\), s. 119\(2\), Sch. 7 Pt. I](#)
- F9** Words in s. 3 substituted (1.4.2005) by [Courts Act 2003 \(c. 39\), s. 110\(1\), Sch. 8 para. 38](#); S.I. 2005/910, art. 3(y)

4 Persons aggrieved may appeal against conviction.

Any person convicted as aforesaid who shall think himself aggrieved by such conviction may forthwith appeal to [^{F10}the Crown Court] . . . [^{F11}

Textual Amendments

- F10** Words substituted by [Courts Act 1971 \(c. 23\), s. 56\(2\), Sch. 9 Pt. I](#)
- F11** Words repealed by [Summary Jurisdiction Act 1884 \(c. 43\), Sch.](#)

5 ^{F12}

Textual Amendments

- F12** S. 5 repealed by [Statute Law Revision Act 1875 \(c. 66\)](#)

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6 F13

Textual Amendments

F13 S. 6 repealed by Statute Law (Repeals) Act 1969 (c. 52), Sch. Pt. I

7 **Nothing to limit power of ordinary over fabric of churches, &c.**

Provided also, that nothing herein contained shall limit, restrain or abolish the power possessed by the ordinary over the fabric of any church or over the churchyard or burial ground connected therewith.

Status:

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