



Judiciary of England and Wales

27 February 2026

SUMMARY

Director of Public Prosecutions v Coskun

[2026] EWHC 427 (Admin)

Lord Justice Warby and Ms Justice Obi

1. Hamit Coskun set fire to a copy of the Qu’ran outside the Turkish Consulate in London while shouting negative statements about Islam. He was charged with religiously aggravated disorderly behaviour contrary to the Public Order Act 1986 and the Crime and Disorder Act 1998. He was convicted in the Magistrates’ Court but acquitted on appeal to the Crown Court (Bennathan J and magistrates). The Director of Public Prosecutions (“DPP”) appealed to the High Court by case stated.
2. The High Court’s task was not to re-hear the case and reach its own decision but to answer the following question of law, posed by the Crown Court:-

On the evidence we received, were we entitled to conclude [1] that the Respondent’s conduct was not “disorderly”, and [2] that it was not “likely” to have caused a person within the hearing and sight of it the necessary “harassment, alarm or distress?”

The High Court’s answer to this question is “yes”, the court was entitled to reach those conclusions. The appeal is dismissed.

3. The judgment sets out the facts [4]-[5], the charge against Mr Coskun (the respondent) [6], and the statutory provisions [7]-[11]. It summarises the relevant case law [12]-[16] explains the proceedings in the Crown Court [17] and summarises the judgment of that court, setting out key passages [18]-[20]. The main arguments for the DPP and Mr Coskun are summarised [21]-[26]. The Court’s analysis and conclusions are at [27]-[33].
4. The court approves the Crown Court’s summary of the legal principles relevant to the two disputed conclusions [28]. It explains that the DPP’s case, stripped to its essentials, is that the only conclusion rationally open to the Crown Court on the evidence was that the respondent’s behaviour was shown to the criminal standard of proof to be both disorderly and likely to cause harassment, alarm or distress

within the meaning of the statutory provisions [29]. The court identifies the high hurdle faced by an appellant seeking to overturn findings of this kind [30].

5. At [31]-[33] the court notes that the Crown Court considered the two questions together but finds that it committed no error of principle or logic in doing so. The Crown Court was entitled to have regard to the seven factors which it identified as relevant. The DPP's submissions about those factors were essentially no more than counter-arguments. The Crown Court did not leave any material factor out of account or rely on any immaterial factor. The High Court is "satisfied that the conclusions arrived at were rationally open to the court" so the appeal is dismissed.

NOTE: This summary is provided to help in understanding the Court's decision. It does not form part of the reasons for the decision. The full judgment of the Court is the only authoritative document. Judgments are public documents and are available at: <https://caselaw.nationalarchives.gov.uk/>

Bold numbers in square brackets are references to paragraphs of the judgment.