

Higher Education (Freedom of Speech) Bill

AMENDMENTS
TO BE MOVED
ON REPORT

Clause 1

LORD HOPE OF CRAIGHEAD

Page 1, line 11, at end insert—

“(1A) “Freedom of speech” refers to the Convention right of freedom of expression set out in Article 10 of the European Convention for the Protection of Human Rights and Fundamental Freedoms as far as it consists of a right to impart ideas, opinions or information by means of speech, writing or images (including in electronic form).”

Member’s explanatory statement

This amendment seeks to avoid a possible inconsistency between the right to freedom of expression which this Bill seeks to protect and the right to freedom of expression in Article 10 which is the subject of other legislation which may come before the House.

Page 2, line 41, at end insert—

““within the law” means that the exercise of this freedom is subject to the duty to respect the rights of others and not to do or say anything that is prohibited by any enactment or rule of law.”

Member’s explanatory statement

This amendment seeks to provide a definition of the expression “within the law”, which qualifies the right to freedom of speech that lies at the heart of this bill, in the interests of clarity and legal certainty.

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