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Higher Education (Freedom of Speech) Bill: Progress of the Bill



Summary

- 1 Background
- 2 Second reading debate
- 3 Committee stage
- 4 Carry-over motion

Appendices

Number

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Contents

Summary	5
1 Background	7
1.1 The existing legal framework	8
1.2 The issues the Government wants to address	9
1.3 What the Bill would do	10
2 Second reading debate	12
2.1 Support for the Bill	12
2.2 Opposition to the Bill	13
2.3 Vote on the Bill	15
3 Committee stage	16
3.1 Summary	16
3.2 Evidence sessions	17
3.3 Detailed consideration of the Bill	17
4 Carry-over motion	30
Appendices	32
Composition of the Public Bill Committee	32

Summary

The [Higher Education \(Freedom of Speech\) Bill](#) was introduced in the House of Commons on 12 May 2021. It would implement legislative proposals included in a Department for Education policy paper published in February 2021, which set out the Government's view that [freedom of speech was under threat across higher education](#).

The Bill would extend and strengthen existing legislation intended to uphold freedom of speech and academic freedom in registered higher education providers and students' unions.

The Bill passed its second reading in the House of Commons on 12 July 2021 and its committee stage on 21 September 2021. A date for report stage and third reading has not been announced. On 25 April, a [carry-over motion was agreed](#) to allow the Bill to continue its progress in the next parliamentary session.

What the Bill would do

In its current form, the Bill has nine substantive clauses.

- Clauses 1 to 3 relate to the legal duties of registered higher education providers, their constituent institutions, and students' unions to protect freedom of speech and academic freedom.
- Clause 4 would allow individuals to bring legal proceedings against a higher education provider or students' union if they are not complying with their duties to protect freedom of speech and academic freedom.
- Clauses 5 to 9 concern the functions of the Office for Students (OfS), which regulates higher education in England. They would introduce a new complaints scheme, new registration conditions for higher education providers, and a new Director for Freedom of Speech and Academic Freedom to the OfS board.

The Bill extends to England and Wales, but its main provisions apply to England. This means any practical effect would occur in England only.

Second reading debate

The Bill had its [second reading in the Commons on 12 July 2021](#) and was debated for nearly five hours.

Conservative MPs and the Government argued the Bill was necessary to counter “growing intolerance” in universities and to uphold the principle of free speech in society.

Labour MPs questioned the evidence base used to justify the new legislation. They also raised concerns the Bill would protect hate speech and misinformation and asked why other issues facing the higher education sector were not receiving similar attention.

A Labour amendment to prevent the Bill’s passage was defeated by 367 votes to 216.

Committee stage

Committee stage began on 7 September 2021 and concluded on 21 September 2021. It comprised [four sessions of oral evidence and eight sessions of line-by-line scrutiny \(PDF\)](#).

[85 amendments and 13 new clauses \(PDF\)](#) were considered. Amendments 1 to 26 and new clause 1 were all tabled by the Government and subsequently accepted. These extended the Bill’s provisions to the constituent institutions of registered higher education providers, including the colleges of the Universities of Oxford and Cambridge, which initially fell outside the scope of the Bill.

Amendments and new clauses were tabled by the Opposition and other members of the committee on academic freedom, the Bill’s coverage of student bodies, the reporting requirements of the OfS, and the appointment process for the new director, none of which were accepted. In some cases, the Minister of State for Higher and Further Education, Michelle Donelan, said she would consider the issues raised.

Further reading

Background to the Bill, commentary on its provisions, and responses from the sector can be found in the Commons Library briefing [Higher Education \(Freedom of Speech\) Bill 2021](#).

1 Background

The [Conservative Party manifesto for the 2019 election](#) included a commitment to "strengthen academic freedom and freedom of speech in universities."¹

Box 1: What is meant by ‘academic freedom’?

Academic freedom was established in law in 1988. [Section 202 of the Education Reform Act 1988](#) gave academic staff the right “to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or the privileges they may have at their institutions.”²

Academic freedom is one of the [public interest governance principles](#) which all higher education providers registered with the Office for Students (the higher education regulator in England) must comply with.

The Higher Education (Freedom of Speech) Bill would add the caveat that academic freedom exists only within an academic’s “field of expertise”.

In February 2021, the Department for Education published a policy paper setting out the Government’s view that [freedom of speech was under threat across higher education](#).³ The paper outlined legislative proposals that were subsequently included in the [Higher Education \(Freedom of Speech\) Bill](#).

The Bill was presented in the House of Commons in May 2021. It passed its second reading on 12 July 2021 and its committee stage on 21 September 2021. A date for report stage and third reading has not been announced.

A carry-over motion has been tabled by the Government for 25 April 2022. If agreed, the Bill would continue its progress in the 2022-23 parliamentary session.

¹ [Conservative Party Manifesto 2019](#), November 2019, p37.

² [Education Reform Act 1988 202\(2\)\(a\)](#)

³ Department for Education, [Higher Education: free speech and academic freedom](#), February 2021.

1.1

The existing legal framework

Since 1986, [section 43 of the Education \(No. 2\) Act 1986](#) has required further and higher education providers to take “reasonably practicable” steps to secure freedom of speech for their members, students, staff, and visiting speakers.⁴ Providers cannot deny the use of premises to an individual because of their beliefs, and they must keep a code of conduct to ensure all activities comply with this legal duty.

In 1988, the [Education Reform Act 1988](#) came into effect, enshrining academic freedom in law (see box 1).⁵

[The Higher Education Research Act 2017](#) established the Office for Students (OfS) as the higher education regulator in England.⁶ The OfS has powers to act when a registered higher education provider is in breach of its registration conditions, including those related to free speech and academic freedom.

Box 2: What is a ‘registered higher education provider’?

Under the [Higher Education and Research Act 2017](#), higher education providers in England must register with the OfS to access [public funding, award degrees, and recruit international students](#).

To be included on the [OfS register](#), higher education providers must meet initial and ongoing [conditions of registration](#) that demonstrate their ability to provide quality higher education. Registration conditions cover subjects including financial sustainability, good governance, and student access, participation, and outcomes.

The legal duties of providers to secure freedom of speech and academic freedom only extend to **speech that is lawful**. Higher education providers must also consider their other legal duties, such as those arising from the [Equality Act 2010](#) and its [public sector equality duty](#).⁷ Unlawful speech might include speech that provokes violence, amounts to discrimination or harassment, or which might draw people into terrorism.

Under the [Higher Education Act 2004](#), students are able to bring unresolved freedom of speech complaints against providers to the Office of the

⁴ [Education \(No. 2\) Act 1986 s43](#).

⁵ [Education Reform Act 1988 s202\(2\)\(a\)](#).

⁶ [Higher Education Research Act 2017 Part 1](#).

⁷ [Equality Act 2010 s149](#). The public sector equality duty requires universities not to discriminate against people who are disadvantaged or suffer inequality. For more information, see the Citizens Advice article, [What's the public sector equality duty?](#)

Independent Adjudicator for Higher Education (OIA), which [administers a scheme for reviewing student complaints](#).⁸

More information on the existing legal framework is available in the Commons Library briefing [Freedom of speech in universities](#).⁹

1.2

The issues the Government wants to address

The term ‘no platforming’ is often used to describe any occasion when a speaker has been unable to appear at an event organised at a university.

A Department for Education policy paper published in February 2021 [argued freedom of speech in higher education is not adequately protected](#) by the current legal framework.¹⁰ It pointed to instances of “cancel culture” and speakers being “no platformed”.¹¹

In 2018, the parliamentary Joint Committee on Human Rights said it had [not found the censorship of debate in universities](#) suggested by media reporting.¹² [Official data from the OfS](#) and a [survey by the higher education platform Wonkhe](#) has suggested a very small number of speakers or events have been unable to go ahead in recent years.¹³

In addition to some events not being able to go ahead, the Government believe a “chilling effect” is leading some students and staff to feel unable to express themselves.¹⁴ Reports by Kings College London and the conservative thinktank Policy Exchange have shown a minority of students and staff choose to self-censor.¹⁵ This is because they are worried about [disagreeing with their peers](#) or their [reputation and career suffering](#).

For more information, see the Commons Library Insight [Free speech in universities: What are the issues?](#)¹⁶

⁸ [Higher Education Act 2004 Part 2](#).

⁹ House of Commons Library, [Freedom of speech in universities CBP-9143](#).

¹⁰ Department for Education, [Higher Education: free speech and academic freedom](#), February 2021.

¹¹ Department for Education, [Higher Education: free speech and academic freedom](#), February 2021, pp4-6, 17-20.

¹² House of Commons and House of Lords Joint Committee on Human Rights, [Freedom of Speech in Universities](#), 27 March 2018, Conclusions and recommendations, para 1.

¹³ Office for Students, [Prevent monitoring: Summary of annual accountability and data returns - 2017-18, 2018-19, 2019-20](#), September 2021, pp6-7. Wonkhe, [Taking the debate forward: A new code to secure and champion freedom of speech and political diversity on campus](#), February 2021, p8.

¹⁴ Department for Education, [Higher Education: free speech and academic freedom](#), February 2021, pp7, 17-21.

¹⁵ King’s College London, [Freedom of expression in universities](#), December 2019; Policy Exchange, [Academic freedom in the UK](#), August 2020.

¹⁶ House of Commons Library, [Free speech in universities: What are the issues?](#)

1.3

What the Bill would do

The [Higher Education \(Freedom of Speech\) Bill](#) was presented in the House of Commons on 12 May 2021. It would implement legislative proposals set out in a [Department for Education policy paper](#) published in February 2021.¹⁷

The Bill would extend and strengthen existing legislation intended to uphold freedom of speech and academic freedom in registered higher education providers (see box 2) and students' unions. Provisions in the Bill would:

- Strengthen existing freedom of speech duties on registered higher education providers and extend academic freedom protections to occasions when an individual is seeking a job or a promotion.
- Create a new duty on registered higher education providers to “promote” the importance of freedom of speech and academic freedom.
- Extend freedom of speech duties to students' unions.
- Allow individuals to bring legal proceedings against a higher education provider or students' union if they are not complying with their duties to protect freedom of speech and academic freedom.
- Introduce a complaints scheme overseen by the OfS.
- Allow the OfS to monitor and enforce freedom of speech measures at higher education providers and students' unions, including through new registration conditions.
- Add a Director for Freedom of Speech and Academic Freedom to the OfS board.

Structure of the Bill

The Bill, as introduced, had twelve clauses. Following the Bill's committee stage, a new clause 2 was added. In the Bill's current form:

- Clauses 1 to 3 relate to the duties of registered higher education providers, their constituent institutions, and students' unions.
- Clause 4 would create a new statutory tort for breach of freedom of speech duties.
- Clauses 5 to 9 relate to the functions of the OfS.
- Clauses 10 to 13 include minor amendments, provisions for the Bill's extent and commencement, and its short title.

The Bill extends to England and Wales, but its main provisions (clauses 1 to 9) apply to England. This means any practical effect would occur in England only.

¹⁷ Department for Education, [Higher Education: free speech and academic freedom](#), February 2021.

There is also one schedule. This is divided into three parts and contains minor and consequential amendments to existing legislation (the [Higher Education and Research Act 2017](#); the [Counter-Terrorism and Security Act 2015](#); the [Higher Education Act 2004](#); the [Education \(No. 2\) Act 1986](#)).

The following Department for Education documents, available on the [Bill's webpage](#), provide more information about the Bill and its implications:

- [Explanatory Notes](#), May 2021.
- [Impact Assessment](#), May 2021.
- [Delegated Powers Memorandum](#), May 2021.
- [Human Rights Memorandum](#), May 2021.

Background to the Bill, commentary on its provisions, and responses from the sector can also be found in the Commons Library briefing [Higher Education \(Freedom of Speech\) Bill 2021](#).¹⁸

¹⁸ House of Commons Library, [Higher Education \(Freedom of Speech\) Bill 2021 CBP-9215](#).

2

Second reading debate

The Bill had its [second reading in the Commons on 12 July 2021](#) and was debated for nearly five hours.¹⁹

Conservative MPs and the Government argued the Bill was necessary to counter “growing intolerance” in universities and to uphold the principle of free speech in society.

Labour MPs questioned the evidence base used to justify the new legislation. They also raised concerns the Bill would protect hate speech and misinformation and asked why other issues facing the higher education sector were not receiving similar attention.

A Labour amendment to prevent the Bill’s passage was defeated by 367 votes to 216.

2.1

Support for the Bill

The then-Secretary of State for Education, Gavin Williamson, opened the debate by saying freedom of speech and academic freedom were integral to a successful democratic society. He said he had made it clear in the past if universities were unable to protect free speech on campus the Government would step in.²⁰

In response to a challenge from Labour MP Kevan Jones about there being a lack of evidence for the assertion freedom of speech was threatened in universities,²¹ the Education Secretary argued legislation was also necessary for defending the principle of free speech.²²

Speaking in support of the Bill, David Davis said the right to freedom of expression and opinion was under threat in universities and society at large.²³ He compared current levels of intolerance to “McCarthyism” and “the early

¹⁹ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\]](#).

²⁰ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c47.](#)

²¹ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c47.](#) Kevan Jones cited OfS data showing fewer than 0.1% of requests for events or external speakers at HEPs were blocked in 2017-18: OfS, [Prevent monitoring accountability and data returns 2017-18: Evaluation report](#), June 2019, p10.

²² [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c47.](#)

²³ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc59-60.](#)

stages of a totalitarian repression”.²⁴ Sir John Hayes expressed similar sentiments. He said:

Through ignorance or inaction, we cannot condone the wicked ways of the self-appointed thought police. Make no mistake: this culture war is the issue of our age. It is the struggle of our generation. Nothing matters more. This is our battle of Britain.²⁵

Several Conservative MPs, including Gareth Bacon, James Daly, and Christian Wakeford, noted strengthening freedom of speech and academic freedom in higher education was a manifesto commitment from the 2019 election.²⁶

Other Conservative MPs, including Dean Russell, argued the Bill was necessary to ensure open debate of challenging ideas remained at the heart of universities and academia.²⁷ Labour MPs Tonia Antoniazzi and Rosie Duffield spoke of how they felt the ability of female staff and students to discuss issues of sex and gender was being increasingly curtailed.²⁸ But while Rosie Duffield said she broadly supported the Bill’s aims, she did not believe legislation was “entirely necessary” at this moment in time.²⁹

Conservative MPs Fiona Bruce and Danny Kruger spoke in favour of the Bill but suggested some provisions could go further.³⁰ They argued the protections included in clause 1 for academics to express their views should extend beyond their “field of expertise”.³¹

2.2

Opposition to the Bill

The then-Shadow Secretary of State for Education, Kate Green, responded for the Opposition. She began by stating Labour’s commitment to freedom of speech and academic freedom but argued the Bill “amounts to legal protection for hate speech.”³² The Shadow Education Secretary noted the Universities Minister had previously acknowledged holocaust deniers could be protected by the Bill’s provisions.³³ She then asked whether it also protected

²⁴ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc60-61.](#)

²⁵ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c72.](#)

²⁶ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc73, 88, 101.](#)

²⁷ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc63-65.](#)

²⁸ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc65-66, 77-78.](#)

²⁹ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc65-66.](#)

³⁰ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc67-68, 76.](#)

³¹ [Clause 1 of the Bill](#) inserts a new section (A1) into the [Higher Education and Research Act 2017](#) before part 1. Subsections 6 and 9 of the new section would define academic freedom for staff as “freedom within the law and within their field of expertise” to express themselves without fear of occupational repercussion.

³² [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c53.](#)

³³ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c52.](#)

anti-vax campaigners, conspiracy theorists, and other “dangerous misinformation.”³⁴

The argument the Bill could provide a platform to holocaust deniers was rejected by the Education Secretary, who said existing legislation would prevent such a scenario.³⁵

The Shadow Education Secretary also argued the Bill was an “evidence-free zone”, pointing to a survey that showed out of 10,000 events with external speakers on university campuses in 2020, only six were cancelled.³⁶

Several Labour MPs, including Bell Ribeiro-Addy and John McDonnell, similarly questioned why the Bill was necessary when data suggested there is no obvious free speech issue in higher education.³⁷ Lillian Greenwood accused the Government of “manufacturing a problem” in order to have a debate,³⁸ and suggested the Bill was “a sledgehammer to crack a very small nut.”³⁹

In response to these arguments, the Education Secretary highlighted research showing some students and academics choose to self-censor their beliefs and opinions on campus.⁴⁰

One of the main critiques of the Bill from Labour MPs focussed on the Government’s priorities. Jess Phillips spoke at length about the prevalence of sexual harassment and sexual violence on university campuses, arguing it was an issue in far more need of legislative attention.⁴¹

Beth Winter said the Bill was a “convenient distraction” from more serious issues facing the sector, including increasing marketisation and the precarious employment of some academic staff.⁴² Paul Blomfield highlighted the ongoing impact of the Covid-19 pandemic. He noted several challenges, including insufficient hardship funding and quarantine arrangements for international students, which he believed were all deserving of more attention.⁴³

³⁴ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c54.](#)

³⁵ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c50.](#)

³⁶ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c53-54.](#) The survey in question was carried out by the higher education platform Wonkhe in December 2020. It involved 61 university students’ unionsw. Wonkhe, [Taking the debate forward: A new code to secure and champion freedom of speech and political diversity on campus](#), February 2021, p8.

³⁷ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc95-111.](#)

³⁸ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c47.](#)

³⁹ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c63.](#)

⁴⁰ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c48.](#) The Education Secretary cited reports by King’s College London ([Freedom of expression in universities](#), December 2019) and the right-wing think tank Policy Exchange ([Academic freedom in the UK](#), August 2020).

⁴¹ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc68-70.](#)

⁴² [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc82-83.](#)

⁴³ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], cc106-108.](#)

2.3

Vote on the Bill

Labour sought to prevent the Bill's passage by moving an amendment saying freedom of speech and academic freedom must be protected in law, but this piece of legislation could facilitate harmful speech and so should not be given a second reading.

The amendment text said:

[That] this House declines to give a Second Reading to the Higher Education (Freedom of Speech) Bill, notwithstanding the need to ensure legal protections for freedom of speech and academic freedom, because the Bill is a hate speech protection bill which could provide legal protection and financial recompense to those seeking to engage in harmful and dangerous speech on university campuses, including Holocaust denial, racism, and anti-vaccination messages.⁴⁴

The amendment was defeated by 367 votes to 216. The Bill subsequently passed its second reading without a further vote.

⁴⁴ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c51.](#)

3 Committee stage

The Bill's committee comprised four sessions of oral evidence on 7 and 13 September 2021, and eight sessions of line-by-line scrutiny on 15, 16, 20, 22 September 2021.

The [fate of each clause, schedule, amendment, and new clause considered at committee stage](#) (PDF) is set out in a document published on the [Bill pages of the Parliament website](#).⁴⁵ [Transcripts of the committee stage debate](#) (PDF) are also available there.⁴⁶

3.1 Summary

The Government has a majority in Public Bill Committees. For the composition of the committee, see the appendices at the end of this briefing.

85 amendments and 13 new clauses were considered during the Bill's committee stage. **Amendments 1 to 26** and **new clause 1** were all tabled by the Government and were the only changes made to the Bill during this stage.

The Government's amendments would extend the Bill's provisions to the constituent institutions of registered higher education providers, including the colleges of the Universities of Oxford and Cambridge, which had previously fallen outside the Bill's scope (see box 3).

Amendments and new clauses were tabled by the Opposition and other members of the committee on:

- academic freedom;
- the Bill's coverage of student bodies;
- the reporting requirements of the OfS;
- the appointment process for the Free Speech Director.

None of these amendments were accepted. In some cases, the Minister for Higher and Further Education, Michelle Donelan, said she would consider the issues raised, or they would be addressed in guidance.

⁴⁵ [Higher Education \(Freedom of Speech\) Bill, Committee Stage Decisions](#), 22 September 2021.

⁴⁶ [Committee debates: Compilation of sittings](#), 22 September 2021.

3.2 Evidence sessions

The Bill's committee stage began with four sessions of oral evidence on 7 and 13 September 2021. The committee heard oral evidence from, among others:

- the Free Speech Union (an organisation that advocates for freedom of speech);
- Policy Exchange (a conservative think tank);
- the Office for Students (the higher education regulator in England);
- Shakespeare Martineau (a law firm);
- the National Union of Students;
- Academic staff, including Professor Kathleen Stock, Professor Nigel Biggar, Dr Arif Ahmed, Professor Eric Kaufmann, Professor Matthew Goodwin, Professor Jonathan Grant, and Professor Stephen Whittle.

Transcripts of the evidence sessions and the written evidence received by the committee are available on the [publications section of the Bill's parliamentary webpage](#).

3.3 Detailed consideration of the Bill

There were eight sessions of line-by-line scrutiny of the Bill held on 15, 16, 20, 22 September 2021. The clause numbers below reflect [the Bill as introduced](#).⁴⁷

Constituent institutions of higher education providers

During the Bill's second reading debate, then-Shadow Education Secretary, Kate Green, noted the proposed legislation covered registered higher education providers and students' unions, but not colleges of the Universities of Oxford and Cambridge.⁴⁸

[Section 43 of the Education \(No. 2\) Act 1986](#) requires a university to "take such steps as are reasonably practicable to ensure that freedom of speech within the law is secured for members, students and employees of the establishment and for visiting speakers."⁴⁹ Subsection 6 of section 43 states "university"

⁴⁷ Note that clause numbers are liable to change as the Bill progresses through Parliament and is amended.

⁴⁸ [HC Deb 12 July 2021 \[Higher Education \(Freedom of Speech\) Bill\], c57.](#)

⁴⁹ [Education \(No. 2\) Act 1986 s.43.](#)

includes a “university college and any college, or institution in the nature of a college, in a university.”⁵⁰

Following the passage of the [Higher Education Research Act 2017](#), however, the coverage of the section 43 duty was narrowed in England to a “registered higher education provider” (see box 2).⁵¹ The change made the legal position of constituent institutions or colleges of universities unclear with regards to their duty to secure freedom of speech for their staff and students.

Government amendments 1 to 26 and New Clause 1

The Government tabled [26 technical amendments](#) (PDF) to extend the Bill’s provisions to a constituent institution of a registered higher education provider. **Amendments 1 to 16** concerned clauses 1, 2, 3, 4, and 7. **Amendments 17 to 26** concerned the schedule.⁵²

Box 3: What is a ‘constituent institution’?

The Bill defines a constituent institution as “any constituent college, school, hall or other institution of the provider.”

The University of Oxford, for example, is made up of 45 independent, self-governing constituent colleges. Most colleges offer teaching, common rooms for students and staff (these are physical spaces but also bodies that represent their respective members), libraries, accommodation, sports, societies, and events.

While regulated generally by the Charity Commission, Oxford’s colleges are also:

- regulated individually by the OfS in relation to the [Prevent duty](#) (which is intended to prevent individuals from being drawn into terrorism);
- covered by the higher education complaints scheme operated by the [Office of the Independent Adjudicator for Higher Education](#);
- subject individually to legal duties to prevent unlawful harassment and discrimination.

The Government also tabled a new clause, [‘duties of constituent institutions’](#) (PDF), which would insert a new section into the [Higher Education and Research Act 2017](#).⁵³ The new clause would require a constituent institution of a higher education provider to:

- take steps to secure freedom of speech;

⁵⁰ [Education \(No. 2\) Act 1986 s43\(6\)](#).

⁵¹ [Higher Education and Research Act 2017 Schedule 11\(5\)](#).

⁵² [Higher Education \(Freedom of Speech\) Bill. Amendment Paper \(PDF\)](#), 8 September 2021.

⁵³ [Higher Education \(Freedom of Speech\) Bill. Amendment Paper \(PDF\)](#), 8 September 2021.

- maintain a code of practice to facilitate its free speech duties;
- promote the importance of freedom of speech and academic freedom.

The Minister of State for Higher and Further Education, Michelle Donelan, said the amendments and new clause were necessary to ensure the Bill would work as intended.⁵⁴ The Minister said it was vital when an individual believed they had suffered because of a breach of the Bill’s duties, action could be taken against the body responsible, including a constituent college of a provider.⁵⁵

Amendment 1 was agreed following a vote that split along party lines, nine votes to five. **Amendments 2 to 26** were subsequently agreed at the relevant stage of proceedings without further votes. **New clause 1** was also agreed without a vote and [added to the Bill as clause 2](#) (PDF).

Clause 1: Duties of registered higher education providers

Clause 1 concerns the duties of registered higher education providers. It inserts new sections into the [Higher Education and Research Act 2017](#). These would:

- strengthen the existing duty of higher education providers to take steps to secure freedom of speech;
- strengthen the existing duty of higher education providers to take steps to secure academic freedom, including on occasions when staff are seeking promotion or a different job at the provider;
- make it clear academic freedom applies within an academic’s “field of expertise”;
- require higher education providers to maintain a code of practice to ensure compliance with these strengthened duties;
- create a new duty to promote the importance of freedom of speech and academic freedom.

What the duties cover

A series of Labour amendments were tabled to clause 1 to extend where the duties of higher education providers to secure freedom of speech would apply. **Amendment 31** extended the duty to premises “occupied by”, rather than merely owned by, a higher education provider. **Amendment 52** extended it to online platforms.

⁵⁴ [PBC Deb \(Bill 12\) 16 September 2021 c242](#).

⁵⁵ [PBC Deb \(Bill 12\) 16 September 2021 c241](#).

A related amendment (**53**) was also tabled by Labour to ensure when the costs of hosting a speaker or an event were disproportionate, higher education providers found a suitable online platform as an alternative.

The Shadow Minister for Further Education and Universities, Matt Western, said these amendments were an attempt to “future-proof what might happen in the future evolution of higher education.”⁵⁶ He highlighted how the Covid-19 pandemic had changed the nature of hosting events, and argued, since online spaces would remain an important part of higher education provision, it was important there was consistency across platforms.⁵⁷

In response, Michelle Donelan said the duties in the Bill were not limited to physical premises, and the text as drafted would cover the lawful speech of students, staff, members, and visiting speakers online.⁵⁸ The Minister said she expected this to be set out in guidance but made a commitment to keep the issue under consideration. She also committed to looking at the issue of events not going ahead because of security costs.

Matt Western welcomed the Minister’s commitments and chose not to move **amendments 31 and 53**. He put **amendment 52** to a vote. It was rejected by nine votes to seven.

Academic freedom

A group of amendments tabled by Labour and Conservative MPs concerning the Bill’s definition of ‘academic freedom’ were all debated together. They included:

- **Amendments 28, 45, 46, 49, and 80.** These sought to build on the existing legal definition of academic freedom (see box 1) by including the right of academic staff to pursue chosen topics for teaching and research freely, and to express opinions about the curricula, governance, affiliation, teaching, and research of their provider.
- **Amendments 27, 57, and 58.** These sought to broaden the definition by removing the requirement for speech to fall within an academic’s “field of expertise.”
- **Amendments 60 and 68.** These sought to extend the concept of academic freedom to students.
- **Amendments 47 and 48.** These sought to expand protections for academics who exercised their academic freedom to ensure training and funding opportunities, and opportunities for career development at other providers, remained open to them.

⁵⁶ [PBC Deb \(Bill 12\) 16 September 2021 c161.](#)

⁵⁷ [PBC Deb \(Bill 12\) 16 September 2021 c154.](#)

⁵⁸ [PBC Deb \(Bill 12\) 16 September 2021 c158.](#)

There was support from several members of the committee for **amendment 27**, tabled by Conservative MP Fiona Bruce, which would have removed the caveat that academic freedom applied only within an academic's "field of expertise". Labour MPs Matt Western, Lloyd Russell-Moyle, and Emma Hardy all argued the words should be removed, with Matt Western suggesting the wording might be something the House of Lords should explore further.⁵⁹

Michelle Donelan explained the phrase was included because academic staff would enjoy extra protection under the Bill's academic freedom provisions, so it would be appropriate to have this extend to speech where an individual had expertise.⁶⁰ The Minister committed to considering the concerns raised by the committee and to looking at the issue again.⁶¹

On the other amendments, Michelle Donelan argued there was no need to define academic freedom further, since all opinions and speech were covered by the Bill "as long as they are within the law and one's academic field of expertise."⁶² She also said academic freedom was a concept long understood to relate to academic staff and teaching personnel, rather than students, but the latter would be covered by the Bill's freedom of speech duties on providers. She did, however, agree to consider the topic again.⁶³ Finally, the Minister argued further protections for academics with regards to opportunities for training, funding, and career development would be unnecessary because the Bill's provisions were sufficient in this area.

Amendments 46 and 48 were put to a vote by Matt Western. They were both defeated by ten votes to six.

Genocide denial

Amendments 32, 33, and 69, tabled by Labour MPs Matt Western and Charlotte Nichols, sought to exempt higher education providers from the duty to secure freedom of speech for individuals who made statements amounting to the denial of genocide. They were debated with **amendment 34**, which also sought to exempt students' unions from the duty.

Charlotte Nichols said the amendments were necessary following Michelle Donelan's comments in a radio interview that holocaust denial would be protected under the Bill, since it constituted lawful free speech.⁶⁴ Matt Western said the amendments were an attempt to draw a line under the question, "what constitutes reprehensible but lawful speech that is inimical to academic freedom?"⁶⁵

⁵⁹ [PBC Deb \(Bill 12\) 16 September 2021 c193-4.](#)

⁶⁰ [PBC Deb \(Bill 12\) 16 September 2021 c200.](#)

⁶¹ [PBC Deb \(Bill 12\) 16 September 2021 c200-1.](#)

⁶² [PBC Deb \(Bill 12\) 16 September 2021 c200.](#)

⁶³ [PBC Deb \(Bill 12\) 16 September 2021 c202.](#)

⁶⁴ [PBC Deb \(Bill 12\) 16 September 2021 c206.](#) The comments are discussed in the article: "[No 10 slaps down universities minister for saying 'Free Speech Bill' will allow Holocaust deniers to speak](#)", The Independent, 13 May 2021 (accessed 29 September 2021)

⁶⁵ [PBC Deb \(Bill 12\) 16 September 2021 c208.](#)

In response, Michelle Donelan said the Government was clear genocide denial was abhorrent and morally reprehensible, and extensive guidance would be produced for higher education providers to explain that such statements were not protected speech under the European Convention on Human Rights.⁶⁶ She also said universities and students' unions would have to balance the Bill's duties with the [Equality Act 2010](#), the [public sector equality duty](#), and the [Prevent duty](#).⁶⁷ The Minister said:

Let me once again be clear that nothing in the Bill encourages providers or student unions to invite speakers who have denied or deny genocide. The Bill will not give anyone the right to a platform, and on that I am categorical.⁶⁸

Amendments 32 and 69 were rejected by nine votes to six, **amendment 33** was rejected by nine votes to five, and **amendment 34** was rejected by eight votes to five. All votes were along party lines.

Clause 1, as amended, was included in the Bill without a vote.

Clause 2: Duties of students' unions

Clause 2 concerns the duties of students' unions at 'approved (fee cap)' higher education providers. This is a category of registered provider that can access [all forms of public grant funding](#) from the OfS.

The clause inserts new sections into the [Higher Education Research Act 2017](#). These would create a new duty on students' unions to "secure" lawful freedom of speech and require them to maintain a code of practice for events and activities.

Constituent institutions' student unions

Amendment 3, tabled by the Government, made it clear the freedom of speech duties on students' unions would not apply to the students' unions of constituent institutions. As noted above, all Government amendments were accepted. This means the student common rooms of the Universities of Oxford, Cambridge, and elsewhere would be exempt from the Bill's obligations.

Explaining this exemption, Michelle Donelan argued the activities of these bodies were overseen by their constituent institution and so it would be "unnecessary and overly bureaucratic" to include them.⁶⁹

The exemption was criticised by Labour MPs on the committee, who argued the differing treatment of these student bodies was unfair to the rest of the

⁶⁶ [PBC Deb \(Bill 12\) 16 September 2021 c208.](#)

⁶⁷ [PBC Deb \(Bill 12\) 16 September 2021 c210.](#)

⁶⁸ [PBC Deb \(Bill 12\) 16 September 2021 c209.](#)

⁶⁹ [PBC Deb \(Bill 12\) 16 September 2021 c242.](#)

higher education sector.⁷⁰ The Opposition tabled a new clause (**NC4**), which would have extended the Bill's students' union provisions to any student body or group associated with a university or higher education provider. This would have included the student common rooms of constituent institutions and clubs and societies not affiliated to a students' union.

Matt Western said the proposed change was necessary to ensure equal treatment for all student groups. He also said it would also prevent groups escaping the Bill's duties by simply deciding not to affiliate with their students' union.⁷¹

In response, Michelle Donelan said non-affiliated clubs and societies would be subject to their provider's freedom of speech code of practice (required by clause 1 of the Bill) when holding events on campus.⁷² The Minister also argued: "It is important to note that student unions at constituent colleges are not classified as student unions under the Education Act 1994."⁷³

Box 4: What is a 'students' union'?

The [Education Act 1994, as amended](#), defines a students' union as:

...a representative body (whether an association or not) whose principal purposes include representing the generality of students at an establishment [...] in academic, disciplinary or other matters relating to the government of the establishment.⁷⁴

In the Act, an "establishment" in England and Wales includes "any college, school or hall" in a registered higher education provider.⁷⁵ This suggests the student common rooms of constituent colleges, which, in addition to being physical spaces, are often bodies that represent their students, might fall under the Education Act's definition of students' unions.

New clause 4 was rejected following a vote that split along party lines nine votes to seven.

Clause 2, as amended, was included in the Bill without a vote.

Clause 3: Civil claims

Clause 3 would create a new statutory tort. This would allow an individual to bring legal proceedings against a higher education provider, constituent

⁷⁰ [PBC Deb \(Bill 12\) 16 September 2021 c243, 258.](#)

⁷¹ [PBC Deb \(Bill 12\) 16 September 2021 c254-6.](#)

⁷² [PBC Deb \(Bill 12\) 16 September 2021 c265.](#)

⁷³ [PBC Deb \(Bill 12\) 16 September 2021 c265.](#)

⁷⁴ [Education Act 1994, as amended, Part II s.20\(1\)\(b\).](#)

⁷⁵ [Education Act 1994, as amended, Part II s.21\(1\)\(g\).](#)

institution, or students' union if they do not comply with their freedom of speech or academic freedom duties.

During the debate on clause 3, Michelle Donelan argued the new statutory tort was necessary because the current system was not working.

She noted the courts were intended to be a last resort, however, with individuals expected to seek redress in the first instance through the [Office of the Independent Adjudicator for Higher Education](#) (the higher education ombuds organisation) or the new complaints scheme operated by the OfS.⁷⁶

Matt Western set out three reasons Labour were opposed to the clause:

- The existing modes for redress and new OfS complaints process established by the Bill meant it was unnecessary.⁷⁷
- It may create a culture of “lawfare” against universities and students’ unions, in which vexatious claims are brought against universities “from those who seek to do them harm”.⁷⁸
- It may result in free speech being restricted, if the prospect of significant legal costs prompted higher education providers and students’ unions to become more risk averse to inviting speakers.⁷⁹

The Opposition tabled **amendment 30** to remove clause 3 from the Bill, but it was not chosen for debate by the Chair.

Clause 3, as amended, was included in the Bill following a vote that split along party lines nine votes to seven.

Clause 4: General functions of the Office for Students

Clause 4 would amend the [Higher Education Research Act 2017](#) to require the OfS to promote the importance of lawful freedom of speech and to protect academic freedom at English higher education providers.

Sir John Hayes tabled **amendment 73** to require the OfS to publish an annual report ranking higher education providers on their compliance with their freedom of speech duties.

In response, Michelle Donelan highlighted the existing reporting requirements placed on the OfS, and said she felt to impose further requirements could be

⁷⁶ [PBC Deb \(Bill 12\) 16 September 2021 c272.](#)

⁷⁷ [PBC Deb \(Bill 12\) 16 September 2021 c275-7.](#)

⁷⁸ [PBC Deb \(Bill 12\) 16 September 2021 c277-80.](#)

⁷⁹ [PBC Deb \(Bill 12\) 16 September 2021 c280-1.](#)

“overly bureaucratic”.⁸⁰ However, she did commit to consider the matter further.⁸¹ The amendment was withdrawn.

Clause 4, as amended, was included in the Bill without a vote.

Clause 5: The regulation of higher education provider duties

Clause 5 would insert a new section into the [Higher Education Research Act 2017](#) regarding new mandatory registration conditions for higher education providers. These would require registered providers to comply with the Bill’s freedom of speech duties.

During the debate of clause 5, Michelle Donelan said it was necessary to create new initial and ongoing registration conditions to protect freedom of speech and academic freedom fully. The new conditions would make the obligations of higher education providers more apparent and “highlight the importance of freedom of speech and academic freedom.”⁸²

Amendment 54, tabled by the Opposition, would have required higher education providers, as part of their registration conditions, to report to the OfS each year the number of events cancelled following a complaint about the speaker. Labour argued the amendment was important to understand the scale of the issue.⁸³

The Minister repeated her commitment to consider the issue of the OfS’ reporting requirements further and the amendment was withdrawn.

Clause 5 was included in the Bill without a vote.

Clause 6: Regulation of students’ unions duties

Clause 6 would amend the [Higher Education Research Act 2017](#) to allow the OfS to regulate students’ unions over their freedom of speech duties. The OfS would be able to impose monetary penalties on students’ unions not complying with their duties.

Michelle Donelan argued clause 6 was necessary, together with clause 2, to ensure freedom of speech was protected across campuses by both higher education providers and students’ unions.⁸⁴

⁸⁰ [PBC Deb \(Bill 12\) 16 September 2021 c294.](#)

⁸¹ [PBC Deb \(Bill 12\) 16 September 2021 c294.](#)

⁸² [PBC Deb \(Bill 12\) 16 September 2021 c305.](#)

⁸³ [PBC Deb \(Bill 12\) 16 September 2021 c301.](#)

⁸⁴ [PBC Deb \(Bill 12\) 16 September 2021 c314.](#)

Labour said they could not support clause 6, because the obligations and duties on student unions would be “far too onerous”.⁸⁵

Monetary penalties

The Opposition tabled **amendment 77** to limit any monetary penalty to a maximum amount set by the OfS, following consultation with universities and students’ unions. Emma Hardy said the resources of students’ unions covered by the Bill varied significantly, and a “one-size-fits-all fining system” could bankrupt the students’ unions of smaller, specialist colleges or higher education providers.⁸⁶

Michelle Donelan said the monetary penalty would be decided by the OfS, in accordance with regulations made by the relevant Secretary of State. She said these regulations would be drawn up in due course following “sufficient consultation with both the sector and student unions.”⁸⁷ The Minister also said careful consideration would be given to the varying size and financial position of students’ unions when drafting the regulations.⁸⁸

The Opposition said the level of detail missing from the Bill and left to guidance was “problematic”.⁸⁹ Matt Western put **amendment 77** to a vote. It was rejected nine votes to six.

Clause 6 was included in the Bill following a vote that split along party lines nine votes to six.

Clause 7: The Office for Students complaints scheme

Clause 7 would insert a new section and schedule into the [Higher Education Research Act 2017](#). These would create a new complaints scheme, overseen by the OfS, covering the freedom of speech and academic freedom duties of registered higher education providers and students’ unions.

Eligibility requirements

Amendments 35 to 37 were tabled by the Opposition and sought to narrow the eligibility requirements for the free speech complaints scheme.

Amendment 35 would have allowed only current students, members, or staff of a higher education provider to use the scheme. **Amendments 36 and 37** would have imposed a time limit of five years for individuals to make a complaint. Matt Western said the amendments were necessary for the OfS

⁸⁵ [PBC Deb \(Bill 12\) 16 September 2021 c315.](#)

⁸⁶ [PBC Deb \(Bill 12\) 16 September 2021 c306-9.](#)

⁸⁷ [PBC Deb \(Bill 12\) 16 September 2021 c310.](#)

⁸⁸ [PBC Deb \(Bill 12\) 16 September 2021 c311.](#)

⁸⁹ [PBC Deb \(Bill 12\) 16 September 2021 c313.](#)

scheme to function effectively and not be overrun by a “flood of complaints”.⁹⁰

Michelle Donelan said **amendment 35** would exclude from the complaints scheme an individual who had been expelled or lost their job because of exercising their freedom of speech, and so the Government could not accept it.⁹¹ She also highlighted the Bill’s schedule (paragraph 5(2)(a) of new schedule 6A in clause 7), which would allow the complaints scheme to have a specific time frame for making a complaint. She said:

To clarify, in the Bill there is no time limit, but our full expectation is that there will be one in accordance with precedent.⁹²

According to the Minister, the time frame will be decided by the OfS and set out in guidance and regulations.⁹³

Following this assurance, Matt Western did not put **amendment 37** to a vote, but he did for **amendments 35 and 36**. Both were rejected along party lines nine votes to six and seven votes to five respectively.

The scheme in practice

Amendments 38 to 42 were tabled by the Opposition and debated as a group. They sought to add detail to how the complaints scheme would work in practice, including clarifying the relationship between the OfS and the Office of the Independent Adjudicator for Higher Education (OIA) (**amendment 38**), and making provision for an appeals process (**amendment 42**).

Labour argued, since there was an OIA scheme for reviewing students’ complaints, the addition of a new OfS scheme could confuse complainants, and lead to a situation where the same incident was the subject of simultaneous complaints by different parties, potentially resulting in different remedies.⁹⁴

The Opposition tabled a new clause (**NC8**), which said the Act could not come into force until guidance was published for students, university staff, and others, setting out “which complaint route each should pursue, through which regulatory bodies, and in which order.”⁹⁵

In response, Michelle Donelan said the Bill’s schedule (paragraph 5(2)(d) of new schedule 6A in clause 7) already made clear a free speech complaint could not be referred to the OfS scheme if it related to the subject matter of a complaint being considered, or which had been considered, by the OIA.⁹⁶ She also said, like the OIA scheme, it was not necessary for there to be a formal

⁹⁰ [PBC Deb \(Bill 12\) 16 September 2021 c320-1.](#)

⁹¹ [PBC Deb \(Bill 12\) 16 September 2021 c322.](#)

⁹² [PBC Deb \(Bill 12\) 16 September 2021 c322.](#)

⁹³ [PBC Deb \(Bill 12\) 16 September 2021 c322.](#)

⁹⁴ [PBC Deb \(Bill 12\) 16 September 2021 c329.](#)

⁹⁵ [Higher Education \(Freedom of Speech\) Bill, Committee Stage Decisions](#), 22 September 2021, p21.

⁹⁶ [PBC Deb \(Bill 12\) 16 September 2021 c335.](#)

appeals process, because, while the Government expects higher education providers and students' unions to comply with recommendations following a justified complaint, they would not be legally binding.⁹⁷

Matt Western withdrew **amendment 38** and chose not to move **amendments 39 to 41**. He did, however, put **amendments 42** and **NC8** to a vote, stating the issue of an appeals process, and how the respective schemes of the OfS and OIA would work alongside one another, should be “a real concern to all of us.”⁹⁸ **Amendment 42** was rejected nine votes to six. **New clause 8** was rejected nine votes to seven. Both votes were along party lines.

Clause 7, as amended, was included in the Bill without a vote.

Clause 8: Director for Freedom of Speech and Academic Freedom

Clause 8 would amend schedule 1 of the [Higher Education Research Act 2017](#). It would establish a Director for Freedom of Speech and Academic Freedom on the OfS board.

Appointment of the Free Speech Director

Amendment 85, tabled by the Opposition, would have prevented the Free Speech Director from being someone who had donated to a political party in the three years prior to their appointment. It would also prohibit them from donating to a political party during their tenure.

The amendment was discussed alongside two new clauses also tabled by the Opposition.

- **New clause 9** would have required the Secretary of State to consider the views of an independent advisory body when appointing the Free Speech Director, and for the appointment to be approved by the Education Select Committee.
- **New clause 11** would have required the Secretary of State to conduct a review of the appointment process to assess its suitability for selecting politically impartial candidates.

Matt Western said the Opposition had little faith in the appointment of an impartial Free Speech Director. He said the current chair of the OfS, Lord Wharton, was a Conservative Party donor who takes the Government whip in the House of Lords, and so these amendments were necessary “to limit the

⁹⁷ [PBC Deb \(Bill 12\) 16 September 2021 c336-7.](#)

⁹⁸ [PBC Deb \(Bill 12\) 16 September 2021 c339-40.](#)

interventionist role of Government in supposedly independent positions in public bodies.”⁹⁹

Michelle Donelan said the Free Speech Director would be appointed in the same way as the rest of the OfS board, by the Secretary of State.¹⁰⁰ Following the appointment, oversight of the role would be provided by the rest of the OfS board.

Amendment 85 and **new clause 9** were rejected nine votes to seven along party lines. **New clause 11** was withdrawn.

Reporting on complaints

Amendment 79, tabled by the Opposition, would have required the Free Speech Director to provide an annual update to students’ unions and higher education providers on the number and nature of complaints made to the OfS regarding freedom of speech, and examples of what the OfS believed to be unacceptable infringements of freedom of speech.

Michelle Donelan said there were already provisions in the Bill relating to the reporting requirements of the OfS to the Secretary of State (clause 4, schedule 6A), but she would consider the issue further.¹⁰¹ The Minister also said the OfS would issue guidance to higher education providers and students’ unions to help them comply with their duties under the Bill.¹⁰²

Amendment 79 was withdrawn.

Clause 8 was included in the Bill following a vote that split along party lines nine votes to seven.

Clauses 9 to 12

Clauses 9 to 12 include minor amendments, provisions for the Bill’s extent and commencement, and its short title.

Clauses 9 to 12 were ordered to stand part of the Bill without a vote.

⁹⁹ [PBC Deb \(Bill 12\) 16 September 2021 c349.](#)

¹⁰⁰ [PBC Deb \(Bill 12\) 16 September 2021 c357.](#)

¹⁰¹ [PBC Deb \(Bill 12\) 16 September 2021 c347-8.](#)

¹⁰² [PBC Deb \(Bill 12\) 16 September 2021 c347-8.](#)

4 Carry-over motion

A carry-over motion allows Bills that have not received Royal Assent (the final stage of the legislative process) by the end of the parliamentary session in which they were introduced to continue into the next one.

The Higher Education (Freedom of Speech) Bill did not complete its passage through Parliament in the 2021-22 Session. On 25 April, a [carry-over motion was agreed](#) to allow the Bill to continue its progress into the next parliamentary session.

During [education questions in the Commons on 14 March 2022](#), the Minister for Higher and Further Education, Michelle Donelan, said the Bill's passage would resume "in due course". She said:

I can inform the House that the Bill will be back in due course, and we can guarantee this Government's commitment to honour our manifesto pledge to strengthen free speech in our universities, because of how important we believe it to be.¹⁰³

On 31 March 2022, the Government [announced the Commons would consider a carry-over motion](#) for the Bill on 25 April 2022.¹⁰⁴ Under normal carry-over arrangements, Bill proceedings lapse one year after their first reading.¹⁰⁵ The Higher Education (Freedom of Speech) Bill had its first reading on 12 May 2021, and so the Government tabled a carry-over motion that would extend the period in which proceedings can continue for two years.¹⁰⁶

During the debate on the motion, the Shadow Minister for Further Education and Universities, Matt Western, said the amount of time that had passed since the Bill was first introduced to the Commons suggested it was "not that important after all."¹⁰⁷ He said while Labour would not vote against the motion, the Government would be better using its time to address more "immediate and pressing issues".¹⁰⁸

In response, the Minister for Higher and Further Education said the Government remained "committed" to delivering on its manifesto pledge to strengthen freedom of speech in higher education.¹⁰⁹ She also accused the Opposition of "cynical party politicking" and said the Bill would ensure lawful free speech was supported to its full extent.¹¹⁰

¹⁰³ [HC Deb 14 March 2022 \[Education\] c598.](#)

¹⁰⁴ [HC Deb 31 March \[Business of the House\] c1018.](#) For more information on carry-over motions, see the House of Commons Library briefing [Carry-over of public bills CBP-3236.](#)

¹⁰⁵ House of Commons, [Standing Orders \(Public Business\)](#), 2 December 2021, 80A(13), pp63-65.

¹⁰⁶ House of Commons, [Provisional Order Paper 19 April 2022](#), Future Business, 25 April 2022.

¹⁰⁷ [HC Deb 25 April \[Higher Education \(Freedom of Speech\) Bill \(Carry-over\)\] c549.](#)

¹⁰⁸ [HC Deb 25 April \[Higher Education \(Freedom of Speech\) Bill \(Carry-over\)\] c549.](#)

¹⁰⁹ [HC Deb 25 April \[Higher Education \(Freedom of Speech\) Bill \(Carry-over\)\] c550.](#)

¹¹⁰ [HC Deb 25 April \[Higher Education \(Freedom of Speech\) Bill \(Carry-over\)\] c550.](#)

The carry-over motion was agreed without a vote. The Bill is now awaiting a date for report stage and third reading in the Commons.

Appendices

Composition of the Public Bill Committee

The Public Bill Committee in the House of Commons was chaired by Sir Christopher Chope and Judith Cummins. It comprised ten Conservative MPs and seven Labour MPs. Its membership was as follows:

- Gareth Bacon (Con, Orpington)
- Sara Britcliffe (Con, Hyndburn)
- Fiona Bruce (Con, Congleton)
- Michelle Donelan (Con, Chippenham, Minister of State for Higher and Further Education)
- Mary Glendon (Lab, North Tyneside)
- Emma Hardy (Lab, Kingston upon Hull West and Hessle)
- Sir John Hayes (Con, South Holland and The Deepings)
- Mr Richard Holden (Con, North West Durham)
- David Johnston (Con, Wantage)
- Mr Kevan Jones (Lab, North Durham)
- John McDonnell (Lab, Hayes and Harlington)
- Charlotte Nichols (Lab, Warrington North)
- Lloyd Russell-Moyle (Lab/Co-op, Brighton, Kempdown)
- David Simmonds (Con, Ruislip, Northwood, and Pinner)
- Michael Tomlinson (Con, Mid Dorset and North Poole, Lord Commissioner of Her Majesty's Treasury)
- Suzanne Webb (Con, Stourbridge)
- Matt Western (Lab, Warwick and Leamington, Shadow Minister for Further Education and Universities)

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