# House of Lords prepares to challenge controversial employment rights bill amendments



Peers in the House of Lords are gearing up to challenge proposed amendments to the Employment Rights Bill, which is attempting to impose what some are dubbing a “banter ban” in a misguided effort to enhance worker protections from harassment in the workplace. This debate, set for later this month after the Easter recess, raises critical concerns about the implications of such legislation under the newly sculpted political landscape.

Lord Young of Acton, founder of the Free Speech Union, has introduced several amendments aimed at protecting a wide spectrum of opinions related to political, moral, religious, or social matters from these restrictive regulations, provided they do not fall into the nebulous categories of being “indecent or grossly offensive.” The intent is commendable, yet it underscores an alarming reality: an increasing trend towards stifling discourse in public domains.

The ramifications of these proposed laws became clear following a troubling report from The Times in January, which revealed that pub and university owners could be held liable for harassment arising from overheard conversations on contentious topics like religion or transgender rights. Under this misguided legislation, employers might face legal action even if they’re entirely uninvolved in the events that unfold, simply because third-party comments are perceived as problematic.

Elaborating on his concerns, Lord Young outlined the heavy burden that these laws would place on employers. “It’s not clear exactly what reasonable steps publicans and public business owners will be expected to take,” he stated, accurately pinpointing the absurd scenario where business owners must actively monitor conversations to evade potential litigation. This draconian approach could lead to a chilling effect, where fear overrides the fundamental right to free speech.

The discussion also touches on various public venues, including the world of sports, wherein fans are often unreserved in their expressions. Lord Young referenced how simple, yet passionate comments—a common lament aimed at referees, such as “are you blind?”—could now nurture baseless claims of harassment, twisting the reality of sports culture into a perilous minefield of legal liabilities.

Notably, entrepreneur Luke Johnson, celebrated for his contributions to the hospitality sector, expressed his deep-seated trepidations regarding this encroachment upon free speech within pubs. “The unintended consequences of ill-thought-through legislation like this could be very damaging,” Johnson remarked, rightly highlighting that traditional pub culture thrives on open debate. The prospect of being silenced over a mere exchange of opinions due to fear of legal repercussions is an affront to the essence of public discourse.

Moreover, reconciling these new regulations with existing frameworks such as the Equality Act presents further complications, creating a quagmire where expressions might simultaneously be described as gender-critical and potentially harassing. This precarious balancing act leaves employers in the lurch, struggling to navigate the intricacies of rights amid an environment increasingly hostile to open dialogue.

Concerns have proliferated regarding the implications for educational institutions, with Young speculating that the new measures may push universities toward even more rigid no-platforming policies against speakers whose perspectives diverge from those held by activist staff members. Such a legal framework could smother academic freedom and free speech on campuses, compounding existing challenges.

As the Employment Rights Bill approaches discussion in the House of Lords, it arrives at a time when business groups are vocally urging the government to rethink elements of the proposal, which they believe threaten hiring practices and further stagnate the already dwindling job market. The alarming analysis revealing a drop in job vacancies to 781,000 for the three months leading to March amplifies the worry of the business community, which is already hurting from the myriad impacts of unstable legislation.

Jane Gratton, deputy director of public policy at the British Chambers of Commerce, voiced her concerns articulate when she stated, “The Employment Rights Bill continues to concern business. While the government is consulting business, the legislation as it stands threatens to add even more costs and complexities for employers.”

With the House of Lords on the brink of deliberation, the debate surrounding the Employment Rights Bill is not just an academic exercise; it is a battle for the future of free expression in our society. In this new political era, prioritizing true worker rights and safeguarding the spirit of open dialogue must take precedence over draconian measures that threaten to roll back the very freedoms upon which our democracy stands.

Source: [Noah Wire Services](https://www.noahwire.com)

## References

* <https://www.independent.co.uk/news/uk/politics/harassment-banter-ban-pubs-employment-b2713198.html> - This URL corroborates the debate around the Employment Rights Bill, specifically the 'banter ban' and its implications for workplaces like pubs and restaurants, highlighting conservative efforts to exempt these venues from certain provisions.
* <https://order-order.com/2025/04/15/lord-young-tables-amendments-to-block-banter-ban-in-rayners-employment-rights-bill> - This URL supports Lord Young's efforts to amend the bill to protect speech involving opinions, excluding 'indecent or grossly offensive' categories, illustrating the contentious nature of the proposed regulations.
* <https://freespeechunion.org/say-no-to-banter-bouncers> - It highlights the potential for over-restrictive monitoring in public places due to the bill's clauses, drawing parallels to 'banter bouncers' in pubs, which underscores concerns about free speech.
* <https://www.telegraph.co.uk/business/2025/03/28/rayners-banter-crackdown-is-threat-to-free-speech-warns-ehr> - This URL details concerns from business leaders and free speech advocates about the bill's potential to stifle free speech and increase compliance costs, particularly in sectors like hospitality.
* <https://ogletree.com/insights-resources/blog-posts/uk-employment-rights-bill-amendments-employers-should-know/> - While not directly addressing the 'banter ban,' this URL provides context on broader amendments to the Employment Rights Bill, including protections for zero-hours workers and enhanced statutory sick pay.