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# Freedom of Expression



Section 16 of the *Human Rights Act 2004* says that:

1. **Everyone has the right to hold opinions without interference.**
2. **Everyone has the right to freedom of expression.** This right includes the freedom to seek, receive and impart information and ideas of all kinds, regardless of borders, whether orally, in writing or in print, by way of art, or in another way chosen by him or her.

Note: Under the Act, all rights may be subject to reasonable limits (section 28). The nature of the right is relevant when considering what is reasonable.

*This factsheet is not intended to be a substitute for legal advice.*

## Scope of the Right

The right to freedom of expression protects the right of people to hold an opinion and to seek, receive and impart information and ideas. The right to freedom of expression comes with responsibilities. The Government can lawfully restrict this right if the restriction is necessary to protect the rights of others or to protect public order, public health, public morality or national security.

## The right to hold an opinion

Section 16 of the *Human Rights Act* says that every person has a right to hold an opinion without interference. The UN Human Rights Committee has clarified that this means that no person should be subject to discrimination or victimisation because of any actual or perceived opinions that she or he holds.