



Joint Committee on Human Rights

Committee Office · House of Commons · London · SW1A 0AA

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From Joanna Cherry KC MP

The Rt Hon Brandon Lewis CBE MP

Lord Chancellor and Secretary of State for Justice
Ministry of Justice

29 September 2022

The Bill of Rights

Dear Brandon,

Congratulations on your appointment to the office of Lord Chancellor and as Secretary of State for Justice. In this role, you take on responsibility for human rights policy and for human rights across Government. The Joint Committee on Human Rights, which I chair, plays a role in scrutinising how you go about this task alongside scrutiny of legislation for compatibility with the United Kingdom's human rights obligations and thematic inquiries on matters which raise human rights concerns within the UK.

We were keen to invite you to give evidence to our committee at the earliest possible opportunity. Your predecessor, Dominic Raab, was due to give evidence in July but pulled out at the last minute, and rescheduled for September. On your appointment, we contacted your office to request that you would attend on 19 October, but this request was declined and we are yet to be offered alternative dates. This is disappointing.

There are a number of legislative proposals before Parliament that engage human rights – not least the Bill of Rights Bill, the status of which is unclear following leaks from Cabinet on 7 September. We understand from newspaper reports that the Bill has been paused, and is subject to review. We are pleased to hear that this is the case, but note that no information has yet been provided to Parliament about the status of the Bill.

You will know that this Committee is part way through its legislative scrutiny of the Bill. The evidence we have heard to date overwhelmingly suggests that the provisions in the Bill as it stands would weaken human rights protections, create large scale legal uncertainty, and potentially see us in breach of our international obligations under the European Convention on Human Rights.

I would be grateful if you could confirm that newspaper reports about the Bill are true, and if you could explain to us the process of review that is underway and how we and others can engage with it. Some of the proposals for human rights reform initiated by your predecessor did not require legislation – not least those considering the role of



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Parliament. It would be helpful to know which of these you intend on pursuing whether or not the Bill continues its progress through Parliament in its current form.

We also recently took evidence from Sir Peter Gross who chaired the Independent Human Rights Act Review (IHRAR) and we think this might be a good opportunity for you to look afresh at its findings and give them the consideration they deserve.

We are keen to know that you share your two most recent predecessors' continued commitment to the European Convention on Human Rights. The UK is a signatory of this international treaty and as such is committed to upholding its provisions and implementing judgements of the Court.

We hope that we will be able to engage with you in a positive and collaborative fashion, as we have done over the years with many of your predecessors, on our work scrutinising the Government's wider policies and legislation. It would be helpful to understand your approach and priorities at an early stage and we ask that you engage with our office to find a date later in the autumn.

Yours sincerely,

Joanna Cherry KC MP

Chair of the Joint Committee on Human Rights