



Joint Committee on Human Rights
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From Joanna Cherry KC MP, Chair

The Rt Hon Suella Braverman KC MP
Secretary of State for the Home Department
Home Office

[BY EMAIL]

15 March 2023

RE: Invitation to give oral evidence to the Joint Committee on Human Rights on the Illegal Migration Bill

Dear Suella,

On 7 March 2023 you introduced the Illegal Migration Bill to the House of Commons. The face of the Bill includes a statement made by you under section 19(1)(b) of the Human Rights Act 1998, that you are unable to certify that the provisions of the Bill are compatible with the European Convention on Human Rights (ECHR), but that the Government nevertheless wishes to proceed with the Bill.

The explanatory notes to the Bill state its purpose is, “to create a scheme whereby anyone arriving illegally in the United Kingdom will be promptly removed to their home country or to a safe third country to have any asylum claim processed”. The UN High Commissioner for Refugee’s statement on the Bill made on 7 March noted that the Bill, if passed, would amount to an “asylum ban”, “extinguishing the right to seek refugee protection in the United Kingdom for those who arrive irregularly, no matter how genuine and compelling their claim may be, and with no consideration of their individual circumstances”.

The Joint Committee on Human Rights’ remit is to consider matters relating to human rights in the United Kingdom. We will be looking closely at this Bill and its compatibility with the ECHR and other international human rights treaties, such as the Refugee

Convention 1951. As a Joint Committee, we comprise members of the House of Commons and the House of Lords and are a cross-party Committee.

We therefore invite you to give evidence to the Committee as the person who is responsible for the legislation and who has made the certification under the Human Rights Act that you wish to proceed with the Bill although you cannot make a statement that its provisions are compatible with Convention Rights.

We ask that you appear before us on either 19 April or 26 April, from 3pm to 5pm. If these dates do not work for you, then please contact my clerks as soon as possible to discuss alternative arrangements.

I would be grateful for a response by no later than Wednesday 22nd March.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Joanna Cherry', with a large, elegant flourish at the end.

Joanna Cherry KC MP
Chair of the Joint Committee on Human Rights