



Joint Committee on Human Rights
Committee Office · House of Commons · London · SW1A 0AA
Tel 020 7219 4710 Email JCHR@parliament.uk Website www.parliament.uk



From the Chair of the Joint Committee on Human Rights

Sir Chris Bryant
Minister of State for Data Protection & Telecoms
Department for Science, Innovation & Technology
100 Parliament Street
[Delivered by Email]

28 April 2025

Dear Sir Chris,

Thank you for your letter of 8 April regarding the Data Use and Access Bill. I appreciate your apology for the delay in responding to our letter.

As you note, we wrote to you on 28 February, following the decision by Secretary Peter Kyle to issue a statement under section 19(1)(b) of the Human Rights Act 1998. This statement made clear that Mr Kyle was unable (but only because of clauses 45(6) and 141(2)) to make a statement that, in his view, the provisions of the Bill are compatible with the Convention rights.

It is highly unusual for the Government to issue such a statement. Our questions were designed to help the Committee more closely examine the reasons for the potential incompatibility identified by the Government, and to decide whether we needed to make any observations which could assist the House of Commons in its scrutiny of the Bill.

I note that since we wrote to you, the provisions of the Bill have been altered as it passes through the Commons. In respect of the two clauses that gave rise to the s19(1)(b) statements, clause 45(6) has now been removed, and what was clause 141 has been replaced by clause 135 which now includes a “reasonable excuse” defence.



Joint Committee on Human Rights

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

Tel 020 7219 4710 Email JCHR@parliament.uk Website www.parliament.uk



From the Chair of the Joint Committee on Human Rights

It appears likely therefore that the Government may no longer consider that the Bill may be incompatible with ECHR. However, it would still be very helpful to us in our scrutiny if you could provide a substantive response. It is always appreciated if Ministers can provide the Committee with full responses as promptly as possible to assist us in discharging our scrutiny role. We consider this particularly important in this case given the unusual fact of a section 19(1)(b) statement having been made.

Thank you for confirming in your letter that we will receive a full reply before the Bill has its Commons Report Stage. I understand that a date of 7 May has now been set for the remaining stages of the Bill. I very much hope that you will be able to reply before that date to assist us in our scrutiny.

I am also grateful for your offer of a meeting with Members and have asked my clerks to contact your office to arrange this, as you suggest.

Yours sincerely,

Lord Alton of Liverpool

Chair, Joint Committee on Human Rights