



Ministry
of Justice

The Right Honourable
Dominic Raab MP
Deputy Prime Minister
Lord Chancellor & Secretary of
State for Justice

Rt Hon Harriet Harman QC MP
Chair, Joint Committee on Human Rights
Committee Office
House of Commons
London
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19 January 2022

Dear Harriet,

QUESTIONS FOLLOWING 8 DECEMBER SESSION

I was deeply saddened to hear of your husband's death earlier this month. He will be missed across the House. I send my deepest condolences to you and your family.

Following my appearance before the Joint Committee on Human Rights on 8 December, I agreed to write with more detailed responses on the issues raised by Lord Singh of Wimbledon.

Human rights and discrimination

Lord Singh asked about my human rights role in relation to other Government departments. As I told the Committee, I have an overarching role in this regard, in that I have particular responsibility for overseeing human rights policy within Government. However, every minister and department should bear in mind the issue of human rights when formulating policies, ensuring they are compatible with the provisions of the Human Rights Act. Under the Equality Act 2010, every public authority is required to have due regard to equality considerations when carrying out its functions. The Government Equalities Office has policy responsibility for equalities legislation, including the Equality Act 2010.

Lord Singh also asked about how complaints of discrimination are dealt with by Government departments and subsequent to the evidence session raised the specific issues of school meal provision and chaplaincy provision in HM Prison and Probation Service (HMPPS).

The Government is committed to ensuring that people are protected against discrimination, including on the grounds of religion or belief, and that they are able to exercise the right to hold and manifest their beliefs in a reasonable manner. With regards to allegations of discrimination in any Government department, the Government takes all complaints about discrimination seriously. Individual complaints will be dealt with by the relevant department or Government body following the relevant internal processes.

If an individual believes that they been discriminated against, they can seek advice from the Equality Advisory Support Service (EASS), the Government's equality and human rights helpline. They can also take legal action, providing they do so within 3 months (for Employment Tribunals) or 6 months (in the County Court, for service provision). The grounds for such action include religious discrimination, since religion or belief is a protected characteristic under the Equality Act 2010.

Chaplaincy provision in HM Prison and Probation Service

HM Prison and Probation Service (HMPPS) takes all allegations of discrimination very seriously. There are well established procedures with set timescales for handling such allegations as well as other forms of grievance or concern.

Over the last two years Lord Singh has raised concerns with senior HMPPS officials about issues regarding Sikh chaplains and prisoners. Where specific examples have been given, these have been thoroughly investigated in line with HMPPS's procedures for staff or prisoners and, where appropriate, their outcomes have been communicated to Lord Singh. HMPPS work with Advisors for all faiths and similarly investigate any concerns raised through their clearly promoted procedures.

HMPPS is in the process of reviewing the arrangements for the provision of faith and belief advice and will make recommendations to Ministers shortly.

I wish to place on the record my gratitude to Lord Singh for his longstanding work as a Faith Advisor to HMPPS.

Addressing the legacy of Northern Ireland's past

Lord Singh also asked about the Government's proposals for addressing the legacy of Northern Ireland's past, and ensuring that the proposed measures will comply with the UK's obligations under Article 2 of the European Convention on Human Rights.

The Government was clear when we published the Command Paper that we would be engaging with a wide range of stakeholders with an open mind before introducing any legislation. The Government continues to engage and reflect on what we have heard, and we are considering our next steps carefully with a view to introducing legislation as soon as possible. The current system for addressing the past is not working well for anybody, particularly victims and survivors. It is delivering neither justice nor information to the vast majority of families, roughly 90% of whom – over 3,000 people – lost loved ones through the actions of terrorists. That is why on 14 July 2021 the Government published the Command Paper setting out our proposals for addressing the legacy of Northern Ireland's past, which focuses on information recovery and reconciliation.

The Government remains committed to dealing with legacy issues in a way that supports information recovery and reconciliation, complies with international human rights obligations, and responds to the needs of individual victims and survivors, as well as society as a whole.

Thank you again for your engagement on these important issues.

Yours sincerely



RT HON DOMINIC RAAB MP