Rt Hon Brandon Lewis CBE

Lord Chancellor and Secretary of State for Justice, Ministry of Justice

CC: Lord Bellamy, Parliamentary Under Secretary of State

**By email only**

**From**: Baroness Kishwer Falkner, Chairwoman

Our ref:1083Lewis

21 September 2022

Dear Secretary of State,

# Our shared priorities in safeguarding human rights protections

I am writing to welcome you to your role as Secretary of State for Justice, and share our views on proposed potential changes to human rights law.

The Equality and Human Rights Commission, as an A-status National Human Rights Institution, is committed to ensuring that the UK’s world-leading human rights legal protections are upheld.

We welcome the Government’s recent decision to pause progress on the Bill of Rights Bill. It is our view that the Human Rights Act 1998 has substantially improved rights protections for people in the UK and should be retained. It enables access to redress in domestic courts for breaches of European Convention on Human Rights (ECHR) rights while maintaining Parliamentary sovereignty, and has led to a strengthening of the UK’s human rights legal framework.

We welcome the Government’s commitments to remain party to the ECHR, which is vital to both the rights of people in the UK and to our international standing as a leader on human rights. However, we were concerned that proposals in the Bill of Rights Bill would have risked reducing human rights protections and access to justice, while undermining core principles of the human rights framework.

We recognise that many of those proposals stemmed from commitments in the Government’s 2019 manifesto. But we consider that substantive changes to constitutional provisions and human rights laws, as were proposed, should be subject to full parliamentary examination. This should include pre-legislative scrutiny, as well as consultation with the public and relevant stakeholders, and with the devolved administrations in the light of the implications of changes to the Human Rights Act to devolution settlements and Belfast/Good Friday agreement. We also encourage the Government to give fresh consideration to the findings of the Independent Human Rights Act Review (IHRAR), in particular its recommendation for greater civic education to foster public ownership of human rights.

We have valued the opportunity to engage with the previous responsible Minister, Lord Wolfson, and officials at the Ministry of Justice, as well as with Sir Peter Gross in his capacity as Chair of the IHRAR. We would welcome the chance to meet to discuss any further plans the Government may have on these matters.

Yours sincerely,

Baroness Kishwer Falkner  
**Chairwoman  
Equality and Human Rights Commission |**