



Ministry
of Justice

Lord Bellamy QC
Parliamentary Under-Secretary of
State for Justice

Rt Hon Sir George Howarth MP
House of Commons
London
SW1A 0AA

MoJ ref: MC97745

10 August 2022

Dear George,

BILL OF RIGHTS

Thank you for your email of 23 June on behalf of your constituent Road, Liverpool, L36 5SS, regarding the Bill of Rights, which was introduced in the House of Commons on Wednesday 22 June.

I completely understand the concerns raised, and I hope that, by setting out the Government's rationale, I can explain why we are revising the approach taken in sections 3 and 6 of the Human Rights Act 1998 (HRA).

In repealing section 3 of the HRA, the Bill of Rights makes sure the balance between our domestic institutions is right, by ensuring that UK courts can no longer interpret legislation contrary to its original meaning. It is important that our human rights framework respects the separation of powers between the judicial and legislative branches of government. It is right that elected representatives in Parliament have the final word on issues of policy.

The revisions to section 3 are complemented by clause 12 of the Bill (public authorities), which revises and replaces section 6 of the HRA. This clause makes clear that when public authorities are giving clear effect to primary legislation, they are not acting unlawfully. In doing this, the Bill delivers greater certainty for public services to do the jobs entrusted to them.

The Bill of Rights will ensure that our human rights framework meets the needs of the society it serves, including protecting human rights for everyone, whether they are religious or non-religious.

If your constituent would like to read further, the Bill and its associated documents are available on Parliament's website here: <https://bills.parliament.uk/bills/3227>.

The Government's response to its consultation on the Bill of Rights is available here: <https://www.gov.uk/government/consultations/human-rights-act-reform-a-modern-bill-of-rights>.

Kind Regards,

LORD BELLAMY QC