

Rule of Law (Enforcement by Public Authorities) Bill

[AS INTRODUCED]

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[AS INTRODUCED]

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B I L L

TO

Require public authorities to exercise their statutory powers to investigate and take enforcement action for breaches of the law; to make provision for sanctions for failing to take such action; and for connected purposes.

BE IT ENACTED by the King’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Duty to exercise statutory powers

- (1) A public authority must exercise its statutory powers to investigate and take enforcement action for breaches of the law.
- (2) A public authority must ensure that—
 - (a) its compliance with the duty under subsection (1), and 5
 - (b) the exercise of its other statutory functionsare conducted in priority to any other activity which the authority may carry out.
- (3) In this Act, “public authority” has the meaning given by section 6(3)(b) of the Human Rights Act 1998. 10

2 Police forces

A police force in England or Wales must ensure that it complies with the duty under section 1 before conducting any activity relating to conduct which is lawful, whether or not that conduct is perceived by the victim or any other person to be motivated (wholly or partially) by hostility or prejudice against a person because of their race, religion, disability, sexual orientation or transgender identity. 15

3 Redress

A person who has suffered material or non-material damage (including distress) as a result of a failure by a public authority to comply with a duty under this Act shall have the right to apply to the court for relief, including damages. 20

4 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Rule of Law (Enforcement by Public Authorities) Act 2024.

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*Presented by Sir Christopher Chope
supported by Sir Edward Leigh.*

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