



House of Lords
House of Commons
Joint Committee on
Human Rights

**A Bill of Rights for the
UK? Government
Response to the
Committee's Twenty-
ninth Report of Session
2007-08**

Third Report of Session 2008-09



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*Report, together with formal minutes and
written evidence*

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Joint Committee on Human Rights

The Joint Committee on Human Rights is appointed by the House of Lords and the House of Commons to consider matters relating to human rights in the United Kingdom (but excluding consideration of individual cases); proposals for remedial orders, draft remedial orders and remedial orders.

The Joint Committee has a maximum of six Members appointed by each House, of whom the quorum for any formal proceedings is two from each House.

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The Committee has the power to require the submission of written evidence and documents, to examine witnesses, to meet at any time (except when Parliament is prorogued or dissolved), to adjourn from place to place, to appoint specialist advisers, and to make Reports to both Houses. The Lords Committee has power to agree with the Commons in the appointment of a Chairman.

Publications

The Reports and evidence of the Joint Committee are published by The Stationery Office by Order of the two Houses. All publications of the Committee (including press notices) are on the internet at www.parliament.uk/commons/selcom/hrhome.htm.

Current Staff

The current staff of the Committee are: Mark Egan (Commons Clerk), Rebecca Neal (Lords Clerk), Murray Hunt (Legal Adviser), Angela Patrick and Joanne Sawyer (Assistant Legal Advisers), James Clarke (Senior Committee Assistant), and Emily Gregory and John Porter (Committee Assistants).

Contacts

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Summary

The Government is considering whether to introduce a Bill of Rights for the UK and we published a substantial Report on this issue in August 2008. We are publishing the Government's response to our work with this Report. We welcome various aspects of the Government response but also have some substantive comments, including those summarised below. We also note that publication of the Government's Green Paper has been repeatedly delayed and recommend that it be published as soon as possible.

We welcome the Government's reiteration of its commitment not to detract or resile from the rights in the European Convention on Human Rights (ECHR); and its acknowledgement that there would be scope for including in a new constitutional document a range of rights and responsibilities which go beyond those in the ECHR. In our August Report we advocated the inclusion of economic and social rights in a new Bill of Rights. We welcome the Government's decision not to rule this out but note its concerns about the impact of increased judicial involvement in this area. We may return to this issue in the future.

The Government has agreed with us that devolution in the UK does not present an insuperable obstacle to the adoption of a UK Bill of Rights. A Bill of Rights for Northern Ireland is already being considered, under the terms of the Good Friday Agreement. The Northern Ireland Human Rights Commission has advised the Government on the form such a bill might take and we recommend that the Government should move swiftly to consult on its response so that legislation can be introduced in Westminster during the current parliamentary session.

We are concerned to detect some equivocation in the Government's view about the Human Rights Act, particularly following the interview given by the Secretary of State for Justice in the Daily Mail on 10 December 2008. We also remain unclear about the relationship between rights and responsibilities envisaged by the Government in a Bill of Rights. Finally, we recommend that the Government should follow Australia's example and appoint an independent committee to conduct a national consultation on the whole range of options for a Bill of Rights for the UK, ahead of parliamentary consideration of the bill itself.

