A Rejection of the UK Government’s Bill of Rights

The Human Rights and Equality Group (HREG) of the Law Society of Northern Ireland firmly rejects the UK Government’s Bill of Rights Bill which seeks to ‘reform’ human rights law in the UK.

In our response to the public consultation in relation to the Human Rights Act, we stated our belief that the government’s proposed reforms would have the effect of weakening or reducing rights. Like many others, we urged the government to rethink its proposals. Unfortunately, having now reviewed the resulting draft legislation in detail, it is clear the government has ignored those concerns.

The wide-ranging Independent Review of the Human Rights Act, in which the HREG took part¹, found that the Human Rights Act is working well. In particular, the Panel noted in its Executive Summary that “…we have been struck by the high regard in which the UK Courts and Judiciary are held by the ECtHR and the beneficial influence this has, both domestically and for the ECtHR”.

However, rather than listen to the expert advice that it had itself commissioned, the UK Government commenced a public consultation last December with proposals that went much further than the remit of the Independent Review. The results of that consultation were overwhelming - greater than 80% of over 12,500 responses, including our own, rejected the government’s proposals.

We have many concerns over this draft legislation, chief amongst them the particular impact on the rule of law in Northern Ireland. This legislation diminishes human rights and weakens the ability for citizens to hold the state accountable for breaching human rights. We share the view of former President of the Supreme Court Baroness Hale who in a recent lecture

delivered in Belfast suggested that this Bill is a watering down of human rights protections in Northern Ireland and “the reverse” of what was envisaged in the Belfast (Good Friday) Agreement.

The Human Rights and Equality Group will monitor the passage of the Bill – we consider that a new Prime Minister and Cabinet presents an opportunity to reflect on the widespread concerns around the draft legislation. In the meantime, we will continue to raise our concerns about this retrograde step for human rights protections in NI and across the UK.

Human Rights and Equality Group
Law Society of Northern Ireland

August 2022