



Ministry
of Justice

The Right Honourable
Dominic Raab MP
Deputy Prime Minister
Lord Chancellor & Secretary of
State for Justice

OFFICIAL

Jenny Rathbone MS
Chair of Equality and Social Justice Committee
Welsh Parliament
Cardiff Bay
Cardiff
CF99 1SN

MoJ ref: MC 92781

16 December 2021

Dear Jenny,

A CONSULTATION TO REFORM THE HUMAN RIGHTS ACT 1998

I am pleased to confirm that on 14th December 2021, the Government launched a consultation on proposals to reform the Human Rights Act 1998 and to legislate for a Bill of Rights. I wanted to share with you the options on which we are consulting as I recognise you have a strong interest in this area. The consultation is publicly accessible here: <https://consult.justice.gov.uk/human-rights/human-rights-act-reform>.

The UK's tradition of human rights and civil liberties stretches back over the centuries. There are many international instruments and treaties on human rights, first and foremost amongst these was the UN Universal Declaration of Human Rights shortly followed by the European Convention on Human Rights (the Convention). The Human Rights Act 1998 embedded the rights within the Convention within UK domestic law. Over the years there has been mission creep which has resulted in human rights law being used for more and more purposes, including at the expense of the interests of wider society.

The Government is committed to protecting and respecting human rights and has a longstanding tradition of ensuring rights and liberties are protected domestically, and of fulfilling our international human rights obligations. The UK is also committed to membership of the European Convention on Human Rights. However, reforms are needed to ensure that the Human Rights Act meets the needs of the society it serves and commands public support.

The revised legislation, renamed the Bill of Rights, will make sure a proper balance is struck between individuals' rights, personal responsibility and the wider public interest. It will strengthen the role of the Supreme Court of the United Kingdom in the exercise of the judicial function, preserve Parliament's democratic prerogatives in the exercise of the legislative function, and support the integrity of the UK while respecting the devolution settlements. The Government also wants to make sure the Bill of Rights fully reflects the different interests and legal systems in different parts of the UK; we are continuing to engage stakeholders in Scotland, Wales and Northern Ireland as to how that can be achieved.

The consultation will last for 12 weeks, and during this period, the Government is seeking views on the key aspects of these reforms and the proposals set out in full in the consultation document. After we have received and considered the responses, we will in due course put forward legislative proposals to Parliament to revise the Human Rights Act and replace it with a Bill of Rights.

The Independent Human Rights Act Review (IHRAR) panel's report was also published on the 14th December 2021, alongside the consultation document. The report is publicly available online here: <https://www.gov.uk/guidance/independent-human-rights-act-review>. Chaired by Sir Peter Gross, IHRAR was launched in December 2020, and was set up to examine the framework of the Human Rights Act, how it is operating in practice and whether any change is required. We welcome this report and will carefully consider its findings as we take forward reform of the Human Rights Act.

If you would like to discuss our proposals further, Lord Wolfson or I will be available to meet with you during and after the consultation period.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Dominic Raab', with a stylized flourish at the end.

RT HON DOMINIC RAAB MP