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# WRITTEN STATEMENT BY THE WELSH GOVERNMENT

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**TITLE**        **Welsh Government Response to UK Government Consultation**

**DATE**        **08 March 2022**

**BY**            **Jane Hutt MS, Minister for Social Justice & Mick Antoniw MS,  
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In December 2021, the UK Government launched a 12 week [consultation](#) on proposals to replace the Human Rights Act 1998 with a Bill of Rights. The Welsh Government submitted a formal response <https://gov.wales/human-rights-act-reform-modern-bill-rights> before the consultation closed on 8 March.

A previous [statement](#) outlined our initial concerns about the main proposal, to replace the Human Rights Act 1998 with a “Bill of Rights”, as well as many other elements in the consultation document. Subsequent detailed study of the consultation document, combined with extensive engagement with Welsh stakeholders and the other Devolved Governments of the UK has only strengthened these concerns, which are set out in detail in our response.

We also met the Deputy Prime Minister, Dominic Raab MP, on 10 February, but were in no way reassured. We are co-signatories with Scottish Ministers to a [letter](#) sent to Mr Raab on 2 March, which highlights our main shared objections to his proposals.

It has never been more important that the United Kingdom as a whole is seen to be defending universal human rights, both in this country and around the world. The UK should be standing up for human rights at a time when they are increasingly being threatened elsewhere, including by Russia in Ukraine. Instead the UK Government has brought forward proposals which, if carried into law, would weaken the rights of all UK citizens, reduce access to justice and target the most vulnerable people in our society, including disabled people and those in poverty. The proposals also seek to distinguish between “deserving” and “undeserving” people or cases, which strikes at the heart of the principle that human rights should apply equally to everyone.

In our response, as well as setting out these points in detail, we have set out wider concerns about these proposals; we have highlighted how human rights in general and the Human Rights Act and European Convention on Human Rights (ECHR) in

particular have been at the heart of devolution in Wales. Successive Welsh governments have viewed Convention rights as a fundamental cornerstone of devolution. Changing the Human Rights Act 1998 goes to the very heart of the devolution settlement. A space where democratic devolution and human rights have been intertwined for two decades.

The Welsh Government continues to embrace, celebrate and build upon the Convention rights and protections bestowed on each and every person in Wales. This is reflected in our legislation, such as the Well-Being of Future Generations (Wales) Act 2015; the Social Services and Well-being (Wales) Act 2014; and The Rights of Children and Young Persons (Wales) Measure 2011. Furthermore, a wide range of policies and programmes building on these legislative foundations. For example:

- Our Race Equality Action Plan (REAP) – An Anti-Racist Wales is built on the values of anti-racism, and calls for zero tolerance of racism in all its guises.
- [Locked Out: Liberating disabled people's lives and rights in Wales beyond COVID-19](#), builds on our existing Framework for Action on Disability and highlights the impact of the pandemic on disabled people.
- The [Access to Elected Office Fund](#) reflects our commitment to increasing diversity across all aspects of public life.
- Wales has a vision to be a [Nation of Sanctuary](#). The Welsh Government is committed to doing all we can to provide a warm welcome to refugees and asylum seekers, strongly supported by all Welsh local authorities.
- The EU Citizens Advice Service has been extended to March 2022.
- Our Community Cohesion Programme has participation in Afghan resettlement and asylum dispersal in recent months.
- The Violence against Women, Domestic Abuse & Sexual Violence (VAWDASV) Strategy aims to make Wales the safest place in Europe to be a woman.

The UK Government's proposals almost entirely overlook the potential impact on this constitutional, legal and policy framework. It is wholly unacceptable that the consultation contains very little on devolution in general, and Wales in particular.

We are calling on the UK Government to change direction while it is still possible to do so, by abandoning the current proposals and by re-committing not just to the retention of the existing Human Rights Act but to guaranteeing full compliance by the United Kingdom with the obligations which it has undertaken to fulfil as a State Party to the European Convention on Human Rights and as a member of the Council of Europe.