



## Westminster Hall debate: Do Not Reform the Human Rights Act

Amnesty International UK has been deeply concerned for a number of years that successive UK Governments have proposed plans to either reform or fully repeal the Human Rights Act 1998 (HRA). The most recent version of this plan intended to replace the HRA with a new Bill of Rights Bill (BOR). That Bill, apart from being deeply problematic, unworkable and damaging to the UK's international reputation, went far beyond the 2019 Conservative Party manifesto commitment to "update the Human Rights Act". Thankfully the BOR was shelved in September 2022. However, it is currently very unclear whether this Bill, or an alternative, could be resurrected by the next Government which is likely to be formed within the next month or so.

The reality is that plans to reform or repeal the Human Rights Act have always been wholly unnecessary, seeking to solve a problem that simply doesn't exist. As the Government's own 'Independent Human Rights Act Review' panel (IHRAR) found, the HRA works well. The vast majority of submissions received to that panel strongly supported the HRA, which is not surprising, because the HRA is an excellent example of national human rights protection. It is designed to suit and support the UK's democratic system, protecting universal rights while preserving parliamentary sovereignty. The HRA helps people in the UK to fight injustice and incompetence; and hold those in power to account. It is those very people in power who want to diminish it and this must be opposed.

**Amnesty International urges all MPs to attend this 24 October 2022 Westminster Hall debate and speak in support of protecting the Human Rights Act as it is.**

### Suggested questions:

- Sir Peter Gross, Chair of the Independent Human Rights Act Review panel has said that the Human Rights Act generally [works well](#); the large majority of the over 12,000 respondents to the government's own [consultation](#) on the Bill of Rights Bill (often 80% or above) rejected the proposals; [polls](#) consistently show that the public are not interested in reforming or repealing the Human Rights Act. Will the Government listen to its own independent panel, its own consultation responses and the public, and leave the Human Rights Act alone?
- Given the incorporation of the European Convention on Human Rights into Northern Ireland law is an explicit commitment of the Good Friday Agreement, which the Human Rights Act realises and which the Bill of Rights Bill would have breached, will the Government confirm that it intends to protect the Good Friday Agreement, including through protecting the Human Rights Act?
- Does the Government agree that in helping to provide justice for domestic and sexual abuse victims, including the victims of John Warboys, that the Human Rights Act has been an incredibly important and positive tool for victims?
- On 13 June 2022, in her [opening remarks to the UN Human Rights Council](#) 50<sup>th</sup> session, the UN High Commissioner for Human Rights expressed concern about UK government plans to replace the Human Rights Act, stating "I am worried about plans in the United Kingdom to replace one of the most important pieces of its human rights legislation – the Human Rights Act". Does the Government agree that such an intervention relating to the UK is highly unusual/is the Government aware of any other time that a UN High Commissioner has expressed concern about a UK policy in opening remarks?

### AMNESTY INTERNATIONAL UK ADVOCACY OFFICE

For more information on any of the issues contained in this briefing, please contact [parliament@amnesty.org.uk](mailto:parliament@amnesty.org.uk) or call **020 7033 1557**

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## The Bill of Rights Bill

The most recently mooted BOR would have upended the UK's existing model of rights. It sought to heavily steer and control the approach that domestic courts take to human rights issues. Clause after clause either imposed new definitions of rights, closed off interpretive avenues from courts or sought to heavily tilt the scales of interpretation away from protecting individual rights and towards protecting government policy and public authorities. Passing the BOR would have:

- Represented a hugely regressive step, deliberately making it harder for people to get justice for rights violations
- Set a damaging precedent internationally, in particular through undermining the principle of universality in a number of places, breaching the international Good Friday Agreement, and creating a major divergence from the European Court of Human Rights, **which would result in more UK cases at the Court and more adverse rulings against the UK**
- Handed huge powers to Government by significantly limiting the judicial protection of rights and protecting Ministers and public authorities from accountability

See Amnesty's [briefing on the Bill of Rights Bill](#) for a more detailed analysis of the BOR.

When contributing to this debate, please share [examples of people / cases using the Human Rights Act](#).

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