

The Rt Hon Boris Johnson MP
Prime Minister
10 Downing Street
London
SW1A 2AA

XX May 2022

Dear Prime Minister,

As organisations from across the equalities and human rights sector we wish to raise our profound concerns about plans to scrap the *Human Rights Act 1998* (HRA), and to ask you to meet with us to discuss further. We would welcome this direct dialogue with you as we believe the proposals put forward would have far-reaching and very real consequences.

While we have many serious concerns about the significant implications of replacing the Act, for now, we draw your attention to three crucial areas.

Undermining international law and the UK's reputation

While it is welcome that the UK Government has committed to remain a state party to the European Convention on Human Rights, the recent consultation proposals seek to undermine the legitimacy and judgments of the Strasbourg Court and risk putting the UK in breach of its commitments under the Convention. It does so by claiming that the European Court is going beyond its legitimate role, creating and imposing new rights, and that Parliament requires a 'democratic shield' against adverse Strasbourg judgments. In recent years, countries such as Russia, Hungary and Poland – states which have either fallen or are clearly drifting towards authoritarianism – have taken the same steps and cited the same justifications for evading their responsibilities under the Convention and subsequent rulings from Strasbourg.

Not only does such a core member of the ECHR as the UK adopting this approach risk conflicting with international law and unravelling the Convention system as a whole, it undermines the UK's reputation and ability to promote itself as a global leader on human rights. The conflict in Ukraine has brought many uncomfortable realities to the fore. Russia has been expelled from the Council of Europe. Countries around the world, and particularly in Europe, are being asked what they stand for and what or who they want to be associated with; whether they stand for human rights or whether they don't. If the UK is serious about defending human rights and international law, it cannot be taking steps at home that undermine the most important international human rights mechanism in its region.

Destabilising peace in Northern Ireland

As you will know, the incorporation of the ECHR into Northern Ireland law was an explicit commitment of the Belfast/Good Friday Agreement realised through the HRA. This has proved vital to peace-building efforts, both in terms of building confidence in post-conflict institutions and as a mechanism to help address human rights violations from over thirty years of the conflict, and indeed since.

Any amendment to the HRA necessitates a process of review between the UK and Irish Governments, in consultation with the Northern Ireland Assembly's parties. With the significance of the changes put forward, it is very difficult to see how agreement could be secured and, crucially, we are deeply concerned it risks breaching the B/GFA and the

delicately balanced peace settlement. Any threat to the fragile peace will be of serious concern internationally, including to the US administration.

Removing obligations to properly address violence against women and girls

We are deeply concerned that the UK intends to remove its obligations under the ECHR to take proactive steps in protecting certain rights. These 'positive obligations' have been crucial to progress work to tackle violence against women and girls in the UK, including abortion rights in Northern Ireland.

Through the HRA, public authorities such as the police have duties to abide by these obligations and can be held to account for their failings. You need look no further than the successful judicial review brought under the HRA which found failures by the police to properly investigate the serial sex offender John Worboys, who went on to attack at least 105 women.

While important steps have been taken to tackle violence against women and girls across the UK, it is worrying that there is an intention to reduce the legal obligations and accompanying pressure on authorities, such as the police, to properly address it. This is especially true given this area is of such concern to the public.

We look forward to hearing from you and very much hope you will agree to meet. Selma Shirazi (selma.shirazi@amnesty.org.uk) from Amnesty International UK can be contacted to coordinate with your team.

Yours sincerely,

Iain Overton - Executive Director, Action on Armed Violence (AOAV)

Aderonke Apata - Founder and CEO, African Rainbow Family

Chilli Reid - Executive Director, AdviceUK

Sacha Deshmukh - Interim Chief Executive, Amnesty International UK

Stevie Tyler - Chief Executive Officer, The Aplastic Anaemia Trust

Naomi Smith FCMA - Chief Executive, Best for Britain

Darren Ferguson – Chief Executive Officer, Beyond Skin

Silkie Carlo - Director, Big Brother Watch

Amy Gibbs - Chief Executive, Birthrights

Sanchita Hosali - CEO, The British Institute of Human Rights

Mrs Jo Kinsey - President, Business and Professional Women UK (BPWUK)

Louise King - Director, Children's Rights Alliance for England, part of Just for Kids Law

Brian Gormally - Director, Committee on the Administration of Justice (CAJ)

Isobel Ingham-Barrow - CEO, Community Policy Forum

Andrea Simon – Director, End Violence Against Women Coalition

Tim Hopkins - Director, Equality Network

Tansy Hutchinson - Head of Policy, Equally Ours

Kyle Taylor - Founder and Director, Fair Vote UK

Peter Wieltschnig - Policy & Networks Officer, Focus on Labour Exploitation (FLEX)

Steve Crawshaw - Director of Policy and Advocacy, Freedom from Torture

Clare Lyons - Director of Policy, Advocacy and Campaigns, Friends of the Earth England, Wales and Northern Ireland

Sara Redmond - Chief Officer, Health and Social Care Alliance Scotland (the ALLIANCE)

Kevin Hanratty - Director, Human Rights Consortium

Mhairi Snowden - Director, Human Rights Consortium Scotland

Fraser Sutherland - Chief Executive, Humanist Society Scotland

Andrew Copson - Chief Executive, Humanists UK

Paola Uccellari - Interim Chief Executive, JCWI

Jen Ang – Founder and Director, JustRight Scotland

Dr Paul Martin OBE - Chief Executive, LGBT Foundation

Paul Roberts OBE - Chief Executive Officer, LGBT+ Consortium

Sam Grant - Head of Policy and Campaigns, Liberty

Shehnaz Somjee - Chair, the Locum Doctors Association & CEO, Somjee Medicolegal Services

Zrinka Bralo - CEO, Migrants Organise

Paul Marshall - Chief Executive, NDTi

Patrick Yu - Secretary of the Trustees Board, NICRE

Akiko Hart - CEO, National Survivor User Network (NSUN)

Helen Close - Research Associate, Omega Research Foundation

Ben Jamal - Director, Palestine Solidarity Campaign

Moira Sinclair - Chief Executive, Paul Hamlyn Foundation

Symon Hill - Campaigns and Communications Manager, Peace Pledge Union

Peter Tatchell - Director, Peter Tatchell Foundation

Paul Parker - Recording Clerk, Quakers in Britain

Aliya Mohammed - Chief Executive, Race Equality First

Tim Naor Hilton – CEO, Refugee Action

Dr Laura Garius – Policy Lead, Release

Mia Hasenson-Gross – Executive Director, René Cassin

Dr Theo Gavrielides - Founder & Director, Restorative Justice for All International Institute

Nik Hartley OBE - Chief Executive Officer, Spinal Injuries Association

Chris Jones - Director, Statewatch

Nancy Kelley - Chief Executive, Stonewall

Lucie Russell - CEO, StreetDoctors

Tom Brake - Director, Unlock Democracy

Alphonsine Kabagabo - Director, Women for Refugee Women

Dr Mary-Anne Stephenson - Director, Women's Budget Group

Laura Tomson and Rachel Adamson - Co-Directors, Zero Tolerance