



Joint Committee on Human Rights

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From Joanna Cherry KC MP, Chair

[By email]

26 May 2023

Dear Ms Hosali and colleagues,

Thank you for your letter of 19 April 2023, and for setting out your concerns in relation to the reform of the Human Rights Act, and in particular how various pieces of legislation are seeking to disapply section 3 to various categories of people, in different circumstances. In our report on the Bill of Rights Bill, the Committee said that “Section 3 HRA is crucial to the legal protection of human rights in the UK. It provides that all legislation must be read compatibly with Convention rights as far as it is possible to do so.” The Committee has also explained the importance of the universality of human rights, noting that “Human rights are, by their nature, universal”. The full report is online [here](#).

You will also be aware that the Committee is currently looking at the Illegal Migration Bill currently before Parliament. The Committee’s call for written evidence notes that “Clause 1(5) [of the Bill, as introduced] provides that section 3 of the Human Rights Act does not apply in relation to provisions made by or by virtue of this Act. Section 3 HRA requires courts and public authorities to read legislation in a way which is compatible with Convention rights, so far as it is possible to do so. What are the implications of the disapplication of section 3 HRA?”

I hope this reassures you that the Committee is aware of current government proposals regarding section 3 of the HRA, and is looking carefully at the Government’s proposed reforms.

Yours sincerely,

Joanna Cherry KC MP
Chair of the Joint Committee on Human Rights