

Bill of Rights to strengthen freedom of speech and curb bogus human rights claims

- Freedom of speech to be given greater weight in law
- New permission stage in court to prevent trivial legal claims wasting taxpayers' money
- Allows future laws to make it harder for foreign criminals to frustrate deportation process

The Bill will ensure courts cannot interpret laws in ways that were never intended by Parliament and will empower people to express their views freely.

At the same time, it will help prevent trivial human rights claims from wasting judges' time and taxpayer money. A permission stage in court will be introduced requiring people to show they have suffered a significant disadvantage before their claim can go ahead.

The Bill will also reinforce in law the principle that responsibilities to society are as important as personal rights. It will do this by ensuring courts consider a claimant's relevant conduct, like a prisoner's violent or criminal behaviour, when awarding damages.

The Bill will make clear that the UK Supreme Court is the ultimate judicial decision-maker on human rights issues and that the case law of the European Court of Human Rights does not always need to be followed by UK courts.

Deputy Prime Minister, Lord Chancellor and Secretary of State for Justice, Dominic Raab said:

The Bill of Rights will strengthen our UK tradition of freedom whilst injecting a healthy dose of common sense into the system.

These reforms will reinforce freedom of speech, enable us to deport more foreign offenders and better protect the public from dangerous criminals.

The Bill of Rights will make it easier to deport foreign criminals by allowing future laws to restrict the circumstances in which their right to family life would trump public safety and the need to remove them.

It will mean that under future immigration laws, to evade removal a foreign criminal would have to prove that a child or dependent would come to overwhelming, unavoidable harm if they were deported.

As a result, any new laws will curb the abuse of the system that has seen those convicted of hurting their own partners and children evade removal by claiming it would breach their right to family life in the UK.

The Bill of Rights will also:

- Boost freedom of the press and freedom of expression by introducing a stronger test for courts to consider before they can order journalists to disclose their sources.
- Prevent courts from placing new costly obligations on public authorities to actively protect someone's human rights and limit the circumstances in which current obligations apply, for example, police forces having to notify gang members of threats towards them from other gangs.
- Insulate the Government's plans to increase the use of prison Separation Centres against legal challenge from extremist offenders claiming 'a right to socialise'.
- Recognise that trial by jury is a fundamental component of fair trials in the UK.
- Prevent human rights from being used as a way to bring claims on overseas military operations once alternative options are provided by upcoming legislation.
- Confirm that interim measures from the European Court of Human Rights under Rule 39, such as the one issued last week which prevented the removal flight to Rwanda, are not binding on UK courts.

This will be achieved while retaining the UK's fundamental commitment to the European Convention on Human Rights.