



Joint Committee on Human Rights

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From Dr Hywel Francis MP, Chair

The Rt Hon Andrew Lansley CBE MP,
Leader of the House of Commons,
2, Horse Guards Road,
London SW1A 2HQ

12 September 2013

Dear Andrew,

Scrutiny of the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Bill

I am writing to you concerning the above Bill which my Committee had the first opportunity to consider at its meeting on Tuesday this week. You will receive another letter from me asking for more information relating to some of the human rights issues raised by the Bill. However, this letter is not to request information but to express the unhappiness of my Committee at the way in which this Bill has been brought into Parliament and is being rushed unnecessarily through the House of Commons.

There was no opportunity for pre-legislative scrutiny or consultation on the measures to be included in the Bill and almost all of the time between publication and Second Reading was parliamentary recess. During the entire period when the Bill was taken in the Commons, the House of Lords was still in recess and my Committee was only able to begin its scrutiny of the measure due to the good will of peers able to attend a meeting this week.

This timetabling of the Bill really is unsatisfactory. I would like to remind you of what the Committee agreed in its Ninth Report of last Session, *Legislative Scrutiny Update* (HC 1077 and HL Paper 157):

“When timetabling Bills the Government should always ensure that there is sufficient time for parliamentary committees with a legislative scrutiny function to have a proper opportunity to scrutinise legislation, and at a sufficiently early point in the passage of the legislation to make it possible for committees’ recommendations to influence the Bill’s content.”
(Paragraph 52)

My Committee was further dismayed that no human rights memorandum was made available to us, despite the speed at which the Bill is being taken. In normal circumstances there would have been the opportunity for us to have requested such a

memorandum from the relevant Government department; but, given how quickly we will have to report on this Bill if the Committee's views are to be taken into account in the House of Lords, such a request would be impractical. It is worth your noting that the Committee also recommended in its Ninth Report of last Session that the provision of human rights memoranda to my Committee by Government Departments should become the standard procedure.

I would also like to remind you that, setting aside a short letter from you dated 7 June, we have not yet received a response to this Report which was published on 15 April – almost 5 months ago.

It is not acceptable that a Committee tasked by Parliament with analysis of the human rights implications of legislation should not easily or at all be able to report on a Bill until it has left the first House on account of the unnecessary speed at which the Bill is being taken, there being no grounds for considering this to be emergency or fast-track legislation.

I urge the Government to ensure that the Bill does not proceed any further until my Committee has reported to both Houses on the human rights implications of this measure. I am copying this letter to the Leader of the House of Lords; and I look forward to your response.

Yours

Hywel



Dr Hywel Francis
Chair