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Dear Dr Francis

**PUBLICATION OF THE ANNUAL REPORT TO THE JOINT COMMITTEE ON
HUMAN RIGHTS ON THE GOVERNMENT'S RESPONSE TO HUMAN RIGHTS
JUDGMENTS 2013-14**

I am writing to inform you of the publication of the annual report to the Joint Committee on Human Rights on the Government's response to human rights judgments. In the main, it covers the period of August 2013 – July 2014, and provides up to date information on the Government's record. I enclose an electronic copy for your attention and hard copies will be provided to the Joint Committee in the normal way by the publishers.

The report is essentially a factual record of the Government's response to adverse judgments and largely follows the format of last year's equivalent report. The main sections of the report are:

- outline of wider developments on human rights;
- outline of the UK's approach to implementing judgments;
- a list of judgments involving the UK in the period of the report;
- description of the UK's record in implementing judgments of the European Court of Human Rights (ECtHR);
- details of significant ECtHR judgments that became final in the last 12 months;
- details of other significant ECtHR judgments still under the supervision of the Committee of Ministers; and
- a list of all declarations of incompatibility made by our domestic courts under section 4 of the Human Rights Act with details of the Government's response.

The report confirms the trend over recent years of only a small number of judgments being issued by the ECtHR in cases against the UK. During the period covered by

the report the ECtHR issued 6 judgments in UK cases, in 3 of which it found a violation. The 3 cases where a violation was found were:

- **MH** – a violation of Article 5(4) (right to have lawfulness of detention speedily examined by a Court) during the initial period of detention under the Mental Health Act
- **Paulet** - a violation of Article 1 of Protocol No. 1 (protection of property - peaceful enjoyment of possessions) with regard to a confiscation order made concerning savings accrued as a result of working illegally.
- **McDonald** – a violation of Article 8 (right to private and family life) because a local authority had been in breach of its own statutory duty to provide care in accordance with its own assessment of need.

There was one new declaration of incompatibility made by our domestic courts in the period covered by the report in the case of **R (on the application of Reilly (no.2) and Hewstone) v Secretary of State for Work and Pensions**, concerning the Jobseekers (Back to Work Schemes) Act 2013. This decision is still subject to appeal.

One other earlier declaration of incompatibility became final during the period of the report, namely **R on the application of T, JB and AW v Chief Constable of Greater Manchester, Secretary of State for the Home Department and Secretary of State for Justice**, following the decision of the UK Supreme Court in June. The case concerned the blanket disclosure of convictions and cautions under the provisions of the Police Act 1997 and Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Government had already made changes to the disclosure regime following the Court of Appeal's decision in this case.

I look forward to receiving any comments that the committee may have on the report.



CHRIS GRAYLING