

Opening Speech for Head of Delegation – UK's Dialogue with Committee against Torture 7th May 2019

Welcome and Introduction

Good morning Mr. Chairman, distinguished members of the Committee, Delegation colleagues, and Good morning to the many individuals who have joined us in person or via the webcast on behalf of the UK's civil society, National Human Rights Institutions and National Preventive Mechanism.

And thank you, Mr. Chairman for offering me the floor. My name is Paul Candler. I am the Director of International and Rights policy for the UK Government's Ministry of Justice. I oversee a number of areas on behalf of the UK Government including domestic, EU and Council of Europe human rights policy, and the UK Government's obligations under the Convention against Torture, and its Optional Protocol, the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights, and the Universal Periodic Review.

Thanking NGO / NHRI contributions and updating

Mr Chairman, I would like to acknowledge the hard work of all the members of civil society, and the UK independent NPM and NHRIs who put forward reports to the Committee.

I thank the Committee for inviting us to this dialogue and look forward over the next two days to hearing the views of the Committee and responding to your questions.

Statement on torture

I would now like to turn to the heart of the matter.

Mr Chairman, the UK Government consistently and unreservedly condemns torture and cruel, inhuman or degrading treatment or punishment; this includes raising our concerns wherever and whenever it occurs, and working closely with international partners, including the United Nations, to eradicate this abhorrent practice.

The UK has a longstanding tradition of ensuring rights and liberties are protected domestically, and of fulfilling our international human rights obligations, including through dialogues such as this one.

UK's historic background in human rights

It is considered that human rights, as a distinct term, came into common usage during the 20th century, developing through international treaties and organisations, such as the UN.

For UK, the concept of rights goes back a long way, indeed back to the Magna Carta in 1215, and rights have evolved across the nations through common law and statute.

To quote one of the Ministry of Justice's Minister, Lord Keen, speaking in the House of Lords on 12th December 2017 on a debate on the UK Government's human rights priorities in the light of Brexit.

, he said "human rights are central to the way we live now and to the way we wish to live in the future. They are an integral part of the society of which we wish to be a part, and a reflection of our identity as individuals and as a country."

Brexit

Now it will not have escaped your notice that in June 2016, following a referendum in the UK, a majority of people voted to leave the European Union, and I know many of the civil society represented here today have expressed concerns in their reports to the Committee, on the impact of Brexit on UK's human rights framework.

The recognition and protection of rights are fundamental values for the UK.

The decision to leave the European Union does not change this and the UK Government is clear that our future relationship with the EU should be underpinned by our shared values of respect for human rights and fundamental freedoms.

The UK Government will continue to protect and respect human rights and liberties both domestically and through our international obligations. The UK Government has reaffirmed its commitment to the European Convention on Human Rights, and will remain a party to it after the UK has left the EU. And on 5th February this year, the Secretary of State for Justice, the Rt. Hon David Gauke MP confirmed during Topical

Questions in the House of Commons that the Government has no plans to repeal or reform the Human Rights Act in the aftermath of our departure from the European Union.

Turning now to our obligations under the Convention, these reach across not only a number of UK Government departments but also the UK's three devolved administrations in Northern Ireland, Scotland and Wales.

The Crown Dependencies, which are the Bailiwick of Jersey, the Bailiwick of Guernsey (which includes Alderney and Sark) and the Isle of Man, and all permanently inhabited Overseas Territories, are also covered by the Convention. I should add that I am the Director with oversight of the Constitutional relationship between the UK and the Crown Dependencies.

Protecting women and girls and tackling modern slavery

And I would like to cover a little of the work which has taken place across the UK on areas covered by the Convention. Whilst we hope to talk to a number of subject matter over these two days, I will for the moment focus on work on domestic violence and modern slavery.

The UK Government has made protecting women and girls from violence and supporting victims and survivors a key priority. This includes pledging increased funding of £100 million through to 2020 to tackle violence against women and girls, including protecting funding to Rape Support Centres. And across the UK, other work has been taking place to tackle domestic violence.

For the Crown Dependencies, in the Isle of Man, a Domestic Abuse Bill has recently undergone public consultation. Guernsey, has approved a further edition of the Domestic Abuse strategy which will run until 2020 and Jersey's Domestic Abuse strategy aims to improve safety, well-being and physical health for the Jersey community.

The UK Government is doing more to tackling modern slavery, which includes sexual exploitation, compulsory labour and human trafficking. The 2018 Annual Report on Modern Slavery, set out how the UK is transforming the law enforcement and criminal justice response to these crimes and increasing support for identified

victims, particularly children, with Independent Child Trafficking Advocates rolled out across the UK.

Work on this area from the devolved administrations includes, the Welsh Government's Live Fear Free website and helpline, which provides support and advice to victims of violence and abuse, as well their friends and relatives, concerned others and practitioners. The helpline received more than 30,000 calls last year.

The Department of Justice in Northern Ireland is currently delivering a wide range of initiatives under the seven-year domestic and sexual violence strategy.

The Human Trafficking and Exploitation (Scotland) Act 2015 consolidates and strengthens criminal law against human trafficking and exploitation. The Act gives police and prosecutors greater powers to detect and prosecute those responsible, and improves protection for victims.

Work on human trafficking and domestic violence has also taken place in the Overseas Territories with the Trafficking in Persons Ordinance coming into effect in 2016 within the Turks and Caicos Islands.

In St Helena, the Safeguarding Directorate operates a 'Safe Haven' to support victims of domestic abuse; partner agencies, such as, the police, health and education are also involved, and the Cayman Islands have introduced a specialist domestic violence court.

This is just a sample of the work underway across the UK, and I am fortunate to be joined by many experts in the delegation who will be speaking on behalf of their departments and administrations.

Introducing in the Delegation

So, I would now like to introduce the UK delegation. Mr Chairman, to assist the Committee members, members of the delegation will be raising their hand to identify themselves as I read out their names.

From the Ministry of Justice, we have Alice Adamson, Deputy Director, Global Strategy and Rights, Alison Stradling, Head of UN Human Rights Treaties, and Naomi Sephton, our Senior Human Rights Legal Advisor.

From the Home Office, we are joined by Wesley Alexander, Head of Upstream Migration and International Trade and from the Department of Health and Social Care, Angela Hawley, Policy Lead for Serious Mental Illness, Legislation and Justice.

From the Northern Ireland Office, Raphaela Thynne, Senior Policy Adviser for Rights and Equality Policy.

From the Northern Ireland Executive, we have Brian Grzymek, Deputy Director for Criminal Justice Policy and Legislation.

From the Scottish Government, Donna MacKinnon, Deputy Director for Community Justice and from the Welsh Government, Alyson Francis, Deputy Director for Communities.

Bob Last, Deputy Head, Political and Human Rights Team and Verity Robson, Legal Counsellor join us from the UK Mission to the United Nations, Foreign and Commonwealth Office.

I should reflect that those of us who speak English as first language tend to speak it really quite quickly, and I know this can be a challenge for the interpreters. So, we are going to try to be a bit slower.

Final closing remarks

To conclude, as with all UK dialogues, the Delegation approaches this session with a spirit of openness and receptiveness to challenge. The UK remains committed to and an advocate of the United Nation treaty body mechanism. The UK Government continues to stand up for a rules based international system and for international law.

The UK Government is a strong advocate of the Human Rights Council and the mechanisms at its disposal to strengthen human rights protection globally. That is why the UK Government is seeking re-election to the Human Rights Council next year, for the 2021-2023 term.

Mr Chairman, distinguished committee members, ladies and gentlemen, on behalf of the UK delegation, I would like to finish by thanking you for this opportunity to speak about human rights and this Convention.

We look forward to responding to your questions and co-operating fully with the Committee during the examination.

Thank you.

Hansard record – Topical Questions 5th February 2019

Richard Burgon (Leeds East) (Lab) - There is deep concern that the Government want to use the cover of Brexit to roll back citizens' rights. Such fears have been further fuelled by the recent failure of Ministers in a letter to the House of Lords EU Justice Sub-Committee to rule out repealing the Human Rights Act 1998 post Brexit. Labour introduced the Human Rights Act. We will fight any attempt by the Tories to undermine it or dilute our hard-won rights. Will the Secretary of State give a reassurance today that the Government will not repeal or reform the Human Rights Act in the aftermath of our departure from the European Union?

Mr Gauke - We certainly have no plans to do so, but on the subject of human rights, I am a little surprised that we are getting lectured by the hon. Gentleman, who will not condemn the Venezuelan regime.