

Rt Hon Justine Greening MP
Secretary of State for Education and
Minister for Women and Equalities
Department for Education
Sanctuary Buildings
Great Smith Street
London, SW1P 3BT

Date: 17 March 2017
Our ref: DI/MF/410Greening

Dear Secretary of State,

Great Repeal Bill: A positive vision for equality and human rights in Britain

The Equality and Human Rights Commission has statutory powers to advise the Government on the equality and human rights implications of laws and proposed laws. In the light of the legal changes that will flow from the UK's decision to leave the European Union our role is more critical than ever.

At this moment of major constitutional change, we believe that the UK Government has an opportunity to set out a positive vision for the kind of country we will be outside the EU. Now is the time to begin the process of healing the divisions exposed during and since the referendum campaign to bring the nation together again. The Prime Minister's vision for a shared society that recognises our mutual obligations and shared bonds provides a perfect moment for us to develop this view further. We see the Great Repeal Bill as an opportunity to begin the process of implementing it.

Britain has a long history of upholding people's rights, valuing diversity and challenging intolerance. We believe that respect for equality and human rights must remain at the heart of our national identity. We therefore welcome the Government's commitment that "all protections in equality legislation will continue to apply once the UK has left the EU [and that...] there will be no going backwards on this issue". The Great Repeal Bill is an opportunity to formalise this commitment and to underline increased parliamentary sovereignty by providing explicitly that "Henry VIII clauses" will not be used to amend or repeal

Tel: 020 7832 7800 | **Email:** correspondence@equalityhumanrights.com

Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX

www.equalityhumanrights.com  [@ehrc](https://twitter.com/ehrc)  

laws that protect the fundamental rights we hold dear. This we believe could ease the passage of the Bill and help you achieve your challenging timetable.

We would also urge you to include in the Bill a British constitutional right to equality in place of the EU framework, against which any new laws or actions by the state could be tested to ensure that they meet the standards of fairness that are central to our values. At a time of significant uncertainty, it will be important to bring people together across every part of society and provide reassurance about the domestic standards that will guide who we are as a nation when we leave EU legislation behind.

I would welcome the opportunity to meet you to discuss this approach. I enclose a short briefing note setting out our other recommendations for a positive future for equality and human rights protections in post-Brexit Britain.

I am writing in identical terms to the Secretaries of State for Exiting the European Union, and Justice. I am also sending copies of this letter to the Chairs of the Joint Committee on Human Rights and Women and Equalities Select Committee.

Yours faithfully,

David Isaac
Chair

Tel: 020 7832 7800 | **Email:** correspondence@equalityhumanrights.com

Fleetbank House, 2-6 Salisbury Square, London, EC4Y 8JX

www.equalityhumanrights.com  [@ehrc](https://twitter.com/ehrc)  