



Llywodraeth Cymru
Welsh Government

PUBLICATION, DOCUMENT

Human Rights Legislative Options Working Group meeting: 7 February 2023

Summary of the minutes of the meeting held on 7 February 2023.

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Attendees

- Charles Whitmore (CW) (Chair), Wales Council for Voluntary Action (WCVA) / Human Rights Consortium (CW)
- Rhian Davies (RD), Disability Wales
- Simon Hoffman (SH), Swansea University
- Catherine Fookes (CF), Women's Equality Network (WEN) Wales
- Sarah Nason (SN), Bangor University
- Katie White

Welsh Government officials

- Karyn Pittick (KP), Equality and Human Rights Division
- Kimberley Mortimer (KM), Equality and Human Rights Division

Apologies

- Nazir Afzal (NA)
- Alicja Zalesinska (AZ), Tai Pawb

Welcome and apologies

CW welcomed members to the meeting and gave apologies.

CW outlined the purpose of the meeting was to:

- discuss lessons from the 'Scotland Day' and determine the next steps
- draw up an updated proposed timeline with key milestones

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- agree the reporting back points to the HRAG meeting (and consideration of whether there are asks from HRAG members to support the work of the LOWG moving forward)

CW outlined the key points from the Scotland Day. Key learning was in relation to economic and social rights underpinning Scotland's work which led to the recommendations around bespoke rights.

- Members discussed whether to progress the suggestion to host a round table 'legal day'/ evidence session.
- KP informed members the legal position had not changed and that members should concentrate and push on with delivering policy options to enable the policy team to share these with WG legal services. KP acknowledged that LS only advise Welsh Government. KP wanted to avoid any further delay.
- It was suggested a one-off session with legal academics (teaching Human Rights) and representatives from the judiciary in a 'round table meeting' testing ideas and initial recommendations from the group would be helpful and encourage civil society backing of the content of a future Bill.
- It was agreed members would identify key areas for consideration scope out important aspects from their own specialised areas. RD would look at CRPD and CF CEDAW and CW and SH would scope out in relation to housing.
- It was suggested The Disability Rights Taskforce may be able to help with this work but the timeframe in relation to publication of plans was not until March 2024.
- Members discussed feeding back on core treaties and then breaking these down once legal services had given feedback. Further discussion focused on taking a more expansive approach and the presumption that Welsh Government lawyers take a cautious approach.
- KP asked for policy options to take forward as soon as possible so progress could be made.
- Members agreed to put something together from their own areas of expertise by March 31 2023 so policy officials in Welsh Government had something tangible to take forward.

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- In relation to non-Government organisations, it was recognised there may be other stakeholders keen to input, particularly around environmental rights.
- SH talked about the preference for the use of ‘Sunrise’ clauses, which may be helpful in relation to compliance where duty starts as ‘Due Regard’ which is ‘Taking Account of’ and then moves to ‘Full Compliance’.
- It was recognised Scotland are in a different legal position and the UK Bill of Rights Bill still poses a substantive threat in relation to any wish list for policy officials to take forward, but this list should be expansive and include civil and political rights.

Action 1: it was agreed all members would put something in draft, in relation to their own areas of expertise for the next LOWG meeting 14 March 2023.

Action 2: CW to share with members in relation to a bullet point list of Treaties and members could feedback on omissions.

Action 3: CW to contact stakeholders in relation to input on environmental rights.

Action 4: members to inform CW in relation to any matters that may be opened to HRAG members to be involved with to help take forward.

Action 5: CW to feedback on Scotland day and today’s discussions at the HRAG meeting on 9 February 2023.

Action 6: draft policy options to be pulled together by 31 March 2023.

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