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### **Why there should be a Human Rights parliamentary select committee**

It is true that there needs to be a right of individual petition against contraventions of the European Convention on Human Rights (letter, 25 September 1980). It does not follow that this must lie to Strasbourg. Many ardent supporters of the present right of petition fail to appreciate the intensely political nature of the questions of interpretation that arise under the convention. It confers 'rights' by laying down vague formulas with equally vague exceptions. These formulas and exceptions have no definite meaning. The meaning is supplied by the interpreter, who thereby acts *as a politician*. (The same thing occurs with the Supreme Court and the United States Constitution.)

I have argued for some years that the interpreters who thus act as politicians in matters affecting our citizens should not be the European civil servants of the Commission at Strasbourg, nor the European judges of the Court there. They should not even be the British judges who would take on the role if the Convention were made part of our domestic law. Who then should they be? The answer surely is that they should be elected representatives of the people whose petitions they receive. This could be managed in the following way.

The House of Commons would appoint a Human Rights select committee. It would consist of back-benchers. Its function would be to receive and enquire into individual petitions complaining of breaches of the Convention. Its hearings would be in public. Its findings, in the form of a report either rejecting the complaint or making recommendations to the Government on how to remedy it and prevent its recurrence, would be published. As now, public pressure would help secure its implementation.

Backbenchers are traditionally watchdogs on the acts of the Executive. From earliest times, the House of Commons has received the petitions of citizens. Such a select committee, operating on non-party lines, would restore to the House of Commons some of its ancient importance as a citizens' champion. No doubt it would be guided by the case law built up at Strasbourg. But its decisions would acquire a validity not possessed by the machinery of the European convention. They would be democratic.<sup>1</sup>

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<sup>1</sup> *The Times*, 29 September 1980.