



Bulletin for the APPG on the Rule of Law

9 June 2016

This bulletin for the [APPG on the Rule of Law](#) has three sections: [Rule of Law News and Events](#), [APPG Meetings](#), and [Current Awareness](#), which provides some background reading on topics that raise rule of law issues.

Rule of Law News and Events

New Rule of Law Impact Tracker

LexisNexis have launched an [interactive tool](#) that seeks to quantify the relationship between rule of law and social and economic development, which has been developed by correlating the data from the World Justice Project, the World Bank and Transparency International. [More information](#)

New Publication: The Union and Devolution

The House of Lords Constitution Committee has released a [report](#) on devolution in the UK. As part of its analysis of key elements of the Union, the Committee concluded that 'Core values are shared across the United Kingdom. These include democracy, equality, personal liberty and the rule of law. These values are not unique to the UK, but they are intrinsic to the Union, rooted in history, and are widely shared by the people and institutions of all four nations.'

See also:

- [Professors Mark Elliott and Stephen Tierney, 'The House of Lords Constitution Committee report on "The Union and Devolution"' UK Constitutional Law Blog \(25 May 2016\)](#)

Event: 10 Days, 10 Issues - Countdown to the Brexit Referendum

BIICL

Speakers will assess the advantages, disadvantages and risks linked with a Brexit in the areas of Constitutional Arrangements, Foreign Relations, Trade, Agriculture, Immigration, Free Movement of Persons, Consumer Rights, Civil Justice, Financial Services and Human Rights.

Tuesday, 14 June 2016 16:00-19:00 (followed by a drinks reception)

Charles Clore House, 17 Russell Square, London WC1B 5JP

[More information](#)

Event: The Prevent guidance: preventing extremism or promoting prejudice?

UCL

This debate will examine whether the 'Prevent' policy is too broad in defining extremism – whether Prevent is effective in stopping 'radicalisation' or does it simply alienate the very communities it hopes to engage? And are the curbs on our liberties justified?

Wednesday, 15 June 2016 18:00-19:45

UCL Cruciform Building, Gower Street, London WC1E 6BT

[More information](#)

APPG Meetings

Next Meeting: Tuesday 5 July, 17:00 – 18:30

The next meeting of the APPG on the Rule of Law will discuss *The Human Rights Act and European Convention on Human Rights in the Devolved Nations*.

Joanna Cherry QC MP will chair the discussion, and the expert speakers will be:

- **Jonathan Fisher QC**
Commissioner on the Bill of Rights Commission 2011 – 2012
- **Professor Graham Gee**
Professor of Public Law at the University of Sheffield
- **Professor Christopher McCrudden**
Professor of Human Rights and Equality Law at Queen's University Belfast and a Fellow of the British Academy
- **Sir Paul Silk**
Chair of the Commission on Devolution in Wales 2011 – 2014, Clerk to the National Assembly for Wales 2001 - 2006

This meeting will also be the 2016 AGM for the APPG.

Current Awareness

The current awareness topics in this bulletin are:

[EU referendum](#)

[Constitutional reform](#)

[Criminal justice](#)

[UK arms sales](#)

[Benefits sanctions](#)

EU referendum

[Peter Foster, 'How does the EU impinge on British sovereignty and if the UK votes 'leave', how much do we take back?' *The Telegraph* \(19 May 2016\)](#)

Europe Editor of the Telegraph offers a breakdown of how different aspects of the EU affect UK sovereignty, including consideration of the impact of EU rules and regulations.

[Dr Robin Niblett, 'Britain, the EU and the Sovereignty Myth', *Chatham House* \(9 May 2016\)](#)

Chatham House Director Robin Niblett, has authored a report on the impact of the EU on UK sovereignty. It argues that the loss of sovereignty is often overstated, and that pooling national sovereignty is beneficial.

See also:

- [Dr Robin Niblett, 'The sovereignty argument for Brexit is a myth' *Newsweek* \(10 May 2016\)](#)
- [Martin Wolf, 'Brexit: sovereignty is not the same as power' *Financial Times* \(3 May 2016\)](#)

[Nick Dearden, 'Think TTIP is a threat to democracy? There's another trade deal that's already signed' *The Guardian* \(30 May 2016\)](#)

Nick Dearden, director of Global Justice Now, argues that the EU's trade deals with the US and Canada threaten to transfer power from government to corporations.

[Sir Paul Jenkins QC, 'The post-23 June process' *Matrix Chambers* \(May 2016\)](#)

This article looks at the immediate aftermath of a Brexit vote, especially regarding the Article 50 TEU exit mechanism.

Constitutional reform

[Professor Mark Elliott, 'The 2016 Queen's Speech and the Constitution'](#) *Public Law for Everyone* (18 May 2016)

In this blog, Professor Elliott reacts to the Queen's Speech, picking up on references to a British Bill of Rights and legislation to uphold "the sovereignty of Parliament and the primacy of the House of Commons".

[Peter Dominiczak, 'David Cameron faces anger for failing to include Sovereignty Bill in Queen's Speech'](#), *The Telegraph* (18 May 2016)

The Political Editor of the Telegraph analyses the reaction to the government's abandonment of the Sovereignty Bill, which would have asserted the Supreme Court's power to override EU law.

Criminal justice

['Prison Reform Trust, In Care, Out of Trouble'](#) (23 May 2016)

After a year-long enquiry, a review chaired by Lord Lamming has made significant findings about the number of children in custody that have spent time in care, and makes recommendations on how the life chances of children in care can be improved by protecting them from involvement in the criminal justice system.

See also:

- ['Press Association, Half of children in youth custody have been in care system, review finds'](#) *The Guardian* (23 May 2016)

[Public Accounts Committee, 'Efficiency in the criminal justice system'](#) (27 May 2016)

The Public Accounts Committee has published a report that is highly critical of the criminal justice system, describing the system as 'close to breaking point'. The report finds that around two-thirds of trials in the crown court are delayed or do not go ahead, and that witnesses are unhappy with the system.

See also:

- ['Rajeev Syal, Justice system is failing witnesses and victims of crime, say MPs'](#) *The Guardian* (27 May 2016)
- [Charlotte Bellamy, 'The Round-up: criminal justice close to breaking point'](#) *UK Human Rights Blog* (May 31 2016)

[Mirko Bagaric, 'Why we should close women's prisons and treat their crimes more fairly'](#) *The Guardian* (1 June 2016)

This article argues that there should be a presumption against imprisoning women, since women offenders are less likely to reoffend, they suffer more from prison, are often responsible for children, and are often less culpable for their crimes.

See also:

- ['Claire Cain, Women shouldn't be forced to seek refuge inside a prison'](#) *politics.co.uk* (20 May 2016)

UK arms sales

[Patrick Wintour, 'MoD to investigate claims Saudis used UK cluster bombs in Yemen'](#) *The Guardian* (24 May 2016)

The Foreign Secretary Philip Hammond has said that there will be an investigation into allegations that Saudi forces have used UK-manufactured cluster bombs in Yemen.

[David Mepham, 'We Need an Immediate Suspension of British Military Sales to Saudi Arabia'](#) *International Business Times*, (25 May 2016)

David Mepham of Human Rights Watch argues that the UK should end its sale of arms to Saudi Arabia, based on a series of alleged human rights violations on the part of coalition forces in Yemen.

See also:

- ['Diana stance on arms hailed as MP criticises use of Charles in Saudi trade deal'](#) *The Daily Mail* (8 June 2016)
- ['Joint Statement: Fanning the Flames of the Yemen Conflict'](#) *Human Rights Watch blog*, (March 22, 2016)
- [Billy Briggs, 'Britain denounced over Yemen conflict stance'](#) *The National* (4 June 2016)

Benefits sanctions

[Salford City Partnership, DWP Benefit Conditionality and Sanctions in Salford – One Year On](#), (May 2016)

Research commissioned by Salford City Council has found that the implementation of the Department for Work And Pensions' benefit sanctions regime has recommended, amongst other things:

- That Salford Work Coaches receive quality training in disability awareness and the requirements under the Equality Act and Public Law to ensure reasonable adjustments are made to accommodate the needs of claimants who are deemed vulnerable according to DWP's own guidance and/ or have protected characteristics under the Equality Act; and
- Agreement from partner agencies to systematically record when sanctions have been imposed on their service users and records outcomes when a decision is challenged, building on existing models of good practice in the City.

[Ashley Cowburn, 'Benefit sanctions lead claimants to suicide, crime and destitution, warns damning report'](#) *The Independent* (24 May 2016)

The Independent discusses the findings of the Salford research, and stresses the negative impact that the sanctions can have on claimants' mental and financial wellbeing.

About the APPG on the Rule of Law

The All-Party Parliamentary Group on the Rule of Law aims to promote parliamentary and public discussion on the rule of law as a practical concept. It is co-chaired by The Rt Hon Dominic Grieve QC MP and Lord Pannick QC. Secretariat support is provided by the Bingham Centre for the Rule of Law.

Join the APPG mailing list: <http://binghamcentre.biicl.org/appg-rule-of-law/members>

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