

Welsh Churches' Working Group Submission to the Parliamentary Joint Committee on Human Rights' Inquiry on the Human Rights Implications of Brexit

Executive summary

Four principles are addressed in this submission:

- As a minimum the human rights currently enshrined within European Union legislation should be maintained in any new UK legislation and, where there may be weakness in the EU legislation, they should be strengthened in transferring to UK law.
- Privacy and family life are centrally important, since family life, in its range of meanings and experience, is central to a Christian understanding of society. Particular attention is given to the ways in which matters relating to asylum seekers and refugees impinge on family life.
- It is vitally important to ensure the maintenance of human rights within new international trade agreements with countries within and outside Europe, most especially human rights within the workplace and defending children from workplace exploitation. Work done by Christian Aid has been particularly noted in this context.
- Finally, the submission calls for maintaining or, where necessary, strengthening legislation on labour rights, the rights of disabled people and anti-discrimination rights, including those relating to sexual orientation, the rights of children and human trafficking.

1 Introduction

1.1 The Churches' Working Party on Wales and Europe was established in July 2016 and represents member churches of Cytûn: Churches Together in Wales and some of its associated bodies. It seeks to articulate the gathered views of these churches and organisations in order both to address the key issues involved in the Brexit debate within the public forum but also to inform Christians in Wales on issues that are central to their concerns and thus to encourage common action. The Working Party is convened by the Union of Welsh Independents in collaboration with Cytûn: Churches Together in Wales.

1.2 The following note offers comment on the key issues of principle that the Welsh Churches' Working Group believes should be addressed as the UK Government and the Welsh Government consider how human rights legislation in the identified areas of concern, that are currently founded

on EU legislation, should be protected for the future. This paper does not attempt to bring legislative expertise to bear on the questions raised by the Joint Committee's Inquiry.

1.3 As a general principle, the churches would strongly advocate that any future legislation in the field of human rights should ensure that, as a minimum, the current rights that are embedded within EU legislation should be maintained in future UK law. In some key areas, it may well be that the legislative protection needs to be strengthened as compared to the current position in order to ensure that the UK has the strongest possible legislative framework for the protection of fundamental human rights.

2. Submission to Welsh Affairs Committee

2.1 Many of these areas of concern have already been identified by the Churches' Working Group in its more general submission to the Welsh Affairs Committee. They are restated in the current submission within the context of the specific questions raised by the Joint Committee.

2.2 The following paragraphs from our submission to the Welsh Affairs Committee are relevant to the present Inquiry:

7. *Rights and opportunities*

7.1. Offering swift reassurance to EU citizens whose status is currently uncertain.

7.2. Protecting the status and rights of vulnerable and disabled people, the elderly and children.

7.3. Ensuring that young people have appropriate educational and employment opportunities during the period of greater economic uncertainty that is ahead, including continued participation in programmes such as Horizon 2020.

7.4. Being welcoming to the stranger and the poor among us, including continued participation in EU and Europe-wide programmes of resettlement of refugees.

7.5. Protecting individual and workers' rights, ensuring that rights currently guaranteed at EU level are written down into UK and/or Welsh law.

8. *Minority communities*

8.1. HM Government and the Welsh Government should continue to protect the rights of minority Communities, especially those who currently feel vulnerable as a result of hate crimes and abuse.

8.2. Both Governments should guarantee, through appropriate legislation and adequate funding, the nurture and encouragement of minority languages, particularly but not exclusively, the Welsh language. As Welsh will lose its co-official status at EU level when we

leave the EU, we believe that an analogous status should be introduced at UK level for Welsh (and also for Scottish and Irish Gaelic)

3. Privacy and family life

3.1 The Churches' Working Party regards privacy and family life as of paramount importance, since family life is regarded as fundamental to a Christian understanding of society. In the current context, we believe that family life should be defined in the broadest possible terms. Crucially, in this context, the rights of children should be paramount, whatever the nature of the relationship between their parents/guardians, and special consideration needs to be given to families that consist of one partner from the UK and one partner from outside the UK as well as families from other European or non-European states that are either officially resident within the UK or are seeking asylum or refugee status within the UK. The current status of these family units within EU legislation should be enshrined, and where necessary, strengthened within the post-Brexit UK law.

3.2 We further believe that any loopholes within current law that raise questions about the rights and security of families need to be addressed in order to ensure that 'residence rights' and the 'genuine and subsisting relationship between a parent and child' are maintained and, if possible, strengthened within the new legislation.

4. International trade

4.1 The Welsh Churches' Working Party believes that human rights protection is fundamentally important within international trade deals, as well as within employment laws within the UK. We believe that as a basic minimum they should be modelled 'in current wording in EU trade deals'. We further believe that in the process of developing a new legislative framework in this area the highest possible emphasis should be given to just and fair working conditions for all workers in companies with which trade deals are being negotiated. There should be no room for compromise on human rights in the workplace nor should there be any tolerance, within new agreements, of the exploitation of children in the workplace. No trade deal, however advantageous to the UK economy, should be agreed that does not offer full, monitored assurances in this area.

4.2 The Churches' partners in the field of overseas aid and development such as Christian Aid and Tear Fund have played a key role in advocating the maintenance of the highest standards of

human rights within the field of international trade and we would wish to continue to advocate and campaign for these high standards within the context of any new agreements in the field.

4.3 The Working Party further urges the UK and Welsh Governments to ensure that these high ideals in the field of international workplace employment should be enshrined in all employment law that is to be effective within the UK and not just in agreements reached within international trade deals.

5. Other human rights protected by EU law

5.1 It is the Working Party's view that the human rights that are currently protected within EU law should be protected and, if deemed necessary, strengthened within UK legislation post-Brexit. As noted above, we believe that this should include labour rights, disability rights and rights to freedom from discrimination. We also believe that the right to freedom of religious worship and expression needs to be safeguarded. We believe that in the areas mentioned by the Joint Committee (sexual orientation, children's rights - especially in relation to child abuse and sexual exploitation and pornography – and human trafficking) incorporating strong legislative guarantees into UK law should receive the highest priority.

6. The timescale for submissions to the Joint Committee has not allowed us to gather detailed evidence in the various areas of concern highlighted in our submission. However, we believe that the issues of principle on which we have commented are a fundamental aspect of the debate as the UK and Welsh Governments negotiate the human rights aspects of the post-Brexit legislative framework for the UK.

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