

Cameron's Bill of Rights Proposal 1

YOUR leader welcomes David Cameron's speech proposing a new British Bill of Rights as a contribution to the debate on human rights (26 June). I am a Conservative Party member so it pains me to say it, but as an experienced legislative and constitutional draftsman I find his proposal dangerously unsatisfactory.

Cameron breezily says a group of legal experts would draft his Bill and "strike a common-sense balance between civil liberties and the protection of public security". It would have been wiser to have assembled this panel of geniuses first, as the task is virtually impossible.

Any Bill of Rights, including the European Convention on Human Rights (ECHR) on which the Human Rights Act 1998 is based, has to consist of very short, general principles. The legal meaning of these is spelt out by judges, who have a very free hand. They would do the same to Cameron's Bill as with similar productions.

Cameron says he will retain our commitment to the ECHR, so complainants dissatisfied with his Bill will still be able to appeal to Strasbourg. Shadow Attorney-General Dominic Grieve claims the Government is not bound by Strasbourg rulings, but in practice it obeys them.

Further complication will arise when the Charter of Fundamental Rights, incorporated into the draft European constitution, comes into play. There is bound to be conflict between the Charter and the ECHR as they are administered by different courts; for Cameron not to mention this in his speech is worrying, since it would be worse if his Bill were added to the imbroglio.

Like Blair, Cameron is under the delusion that Acts of Parliament work miracles. Unless very carefully thought out, they are far more likely to produce more confusion.