

Chris Purnell – Call for Evidence Response

One of the questions the Review Panel is to consider is whether, in making judgments under the Human Rights Act 1998, the UK's Higher Domestic Courts have unduly influenced policy. In my view they have not gone beyond the grounds of constructive interpretation of the law in the HRA. This is borne out by the overwhelming majority of cases decided under the Act. The Review Panel should accordingly not recommend any changes in the way the Courts make decisions under the Act. There is a long tradition of constructive interpretation of legislation by UK higher Courts and this has in no way been departed from.