

Protecting Civil Liberties

Liberal Democrat Policy Briefing 11

January 2005



Setting all People Free

Liberal Democrats have the protection of civil liberties at the heart of our purpose and philosophy. The body of rights and freedoms which make up our conception of civil liberties are, we believe, fundamental to building the free, fair and open society to which our constitution commits the Party. There is no other issue concerning political values and public policy where the lines can be more clearly drawn between Liberal Democrats on the one hand and our political opponents on the other than that of the rights of the individual and the protection of minorities.

We want to see a society which gives individual men and women opportunities to pursue their aims, develop their talents and fulfil their potential. We believe that one of the key roles of the state and the community is to enhance the liberty of the individual and create opportunities for diversity of life and expression.

Liberal Democrats regret that the present government has shown little regard for citizen's rights in many fields, particularly in its proposals for the criminal justice system, in its reduction in the scope of civil legal aid and in its treatment of asylum seekers. We are fundamentally opposed to the Government's proposals for compulsory ID cards which we consider an affront to civil liberties. ID cards will extend the reach of the state while doing little to deter terrorists or criminals.

Safeguarding Rights and Freedoms

Liberal Democrats have welcomed the Government's proposals for a new joint Commission for Equality and Human Rights. However, we will press to ensure that the Commission is professional, properly resourced and completely independent of Government. It will be difficult for the new Commission to be effective unless it can work within a single, consistent legislative framework, to tackle discrimination in all spheres of activity and promote equality between people regardless of their age, sex, racial or ethnic origin, religion or belief, sexual orientation or disability. Liberal Democrats will:

- **Simplify and streamline the existing framework of anti-discrimination legislation** by introducing a new and comprehensive Equality Act to provide equal protection against each type of discrimination in a coherent, user-friendly framework.

Britain has no written constitution. We have no binding Bill of Rights that protects our people from the actions of an irrational government. It is longstanding Liberal Democrat policy to enshrine the rights of the British people and the responsibilities of Government in a written constitution against which all new legislation should be measured. The constitution should also set out the powers of Parliament, Ministers, Judges, the Head of State and the national assemblies.

Liberal Democrats will:

- **Provide a final guarantee of civil liberties** by introducing a United Kingdom Bill of Rights, as part of a Written Constitution, to invalidate legislation that is contrary to fundamental rights.
- **Abolish the Royal Prerogative.** We need a proper framework for Ministers so that their actions are subject to full parliamentary scrutiny.

- **Protect people fleeing from persecution** by establishing an Independent Asylum Agency to consider asylum claims lawfully, competently and impartially, and by frontloading resources into making robust and informed initial decisions, therefore reducing the burden on the appeals process.
- **Support the draft Constitution for the European Union** to define and limit the powers of the EU ensuring that decisions are made at the most appropriate level. This would set out the roles, responsibilities and powers of EU institutions in relation to member states. It would provide a stable and legitimate framework to reinforce democracy and restore public confidence in the EU. Ratification must be subject to a referendum of the British people.
- **Protect the rights of defendants** by repealing provisions to limit the right to trial by jury, admitting hearsay evidence and allowing the routine disclosure of previous convictions.
- **Create a Ministry of Justice** to ensure a separation of powers between the legal system and law enforcement agencies and help to provide a fairer system of justice for all. We will establish a review of the legal aid system, to ensure genuine access to justice.

Fighting Discrimination

We will:

- **Take steps to improve racial equality** including multi-cultural education, opportunities in employment and training, and a concerted response to racial harassment.
- **Ensure women's equality and opportunities are promoted** in public life, in pay, benefits and job status and encourage greater enforcement of pay and discrimination legislation.

Extending the Rights of Young People

Liberal Democrats would ensure equal opportunities and financial independence for young people through increased rights of participation and representation, particularly by introducing voting at 16.

Fighting for a Fairer and More Open Society

We will:

- **Improve co-operation between police forces** and support the development of EU common action in police and judicial co-operation to combat international crime, terrorism, drug trafficking, people trafficking and fraud.

This briefing contains Federal Liberal Democrat policies. The policies of the Scottish and Welsh Liberal Democrats and the Northern Ireland Local party apply on issues which are their responsibility within our Federal policy-making structure.

Printed by Liberal Democrats, 4 Cowley Street, London, SW1P 3NB Published and promoted by Chris Rennard, 4 Cowley Street, London, SW1P 3NB