

Brexit Bill Could Remove The Right To Sue The Government

 [huffingtonpost.co.uk/entry/brexit-clause-sue_uk_598d854ae4b0909642963aac](https://www.huffingtonpost.co.uk/entry/brexit-clause-sue_uk_598d854ae4b0909642963aac)

Rachel Wearmouth Politics News reporter, HuffPost
UK

8/11/2017

The Brexit Bill could bar people from suing the Government over things like air pollution and employment rights.

According to reports, the new legislation will ban individuals and companies from launching compensation claims against Whitehall post-Brexit.

As it stands, all EU citizens are able to sue a member state government for damages if their rights were infringed by the failure of a country to implement EU law.

But under [the Brexit Bill](#), parts of the law covering the environment, workers' rights and business regulation will no longer be subject to financial redress through the courts, according to experts.

In a report in [The Times](#), the Government said individuals would still be able to sue after the UK withdraws from the bloc but did not spell out how the system would work.

Pro-remain Labour MP Chris Leslie said: "This is exactly what we were told the Repeal Bill would not be used for but it looks like another broken Brexit promise.

"Ministers have repeatedly pledged not to use Brexit to undermine our rights but those warm words are not being backed up by action.

"The wording in the Bill is so broad that it represents a fundamental watering down of rights to redress against the state and Ministers should be made to justify such a change.

"The Government should do what it said it would and ensure in law that none of our rights are lost after Brexit."

Liberal Democrat Brexit Spokesperson Tom Brake said: "This is a shameless attempt to take away people's rights through the backdoor.

"Citizens must be able to hold the government to account when it breaks the rules.

"The Liberal Democrats will fight in Parliament to stop Brexit from being used to water down individual rights."

David Hart, QC, who practises environmental law, said: "This seems to be a blatant way of government seeking to avoid responsibilities. If you take an area like pollution it means that the government will escape any liability under the Francovich principle for past and future breaches."

Frances Lawson, a barrister who is preparing to bring a case against the government over air pollution, added: "We are trying to move the case forward as quickly as we possibly can.

"If the government means what it says about ensuring equivalence in environmental protection after Brexit, they need to come up with a way to give people a similar form of redress."

"This chilling clause, buried deep in the bill's small print, would quietly take away one of the British people's most vital tools for defending their rights," Martha Spurrier, director of Liberty, said.

"Putting the government above the law renders our legal protections meaningless. It exposes a clear agenda to water down our rights after Brexit."