

Brexit's Great Repeal Bill will axe the right to health, warn experts

May 2 2017

Brexit's Great Repeal Bill will axe the right to health, warn experts in *The BMJ* today.

Peter Roderick and Allyson Pollock from the Institute of Health and Society at Newcastle University, argue that "the fundamental right to [health](#) in the UK will be lost if the government proceeds with its plan not to convert the EU Charter of Fundamental Rights into UK law, as announced in the [white paper](#) on the Great Repeal Bill."

They explain how the value of this [charter](#) was shown last year, in both EU and UK courts, when the tobacco industry unsuccessfully challenged the new rules on [plain packaging](#) of cigarettes.

One of the industry's arguments was that the rules violated its rights. But both the EU Court of Justice and the High Court in London used the right to health in article 35 of the charter as a counter weight to that argument.

"The government's proposal not to maintain the [fundamental rights](#) charter means that after Brexit it will not be possible for a UK judge to use article 35 or other charter rights when interpreting UK laws that have derived from the EU," they write.

"These include laws to protect [public health](#) such as on pesticide residues in food, health and safety at work, management and disposal of hazardous substances, regulation of medicinal products, and air and

water quality."

They argue that the change "will considerably weaken the ability of judges in future to uphold the law if it is challenged by industry in the courts" and they raise concerns about the arguments put forward by the government to support its intention to dispense with the charter.

"The real protections for public health and inequalities that the charter represents will be set aside if the present government is re-elected in June and its plan to ditch the charter goes ahead," they warn.

And they urge all those concerned about public health and social solidarity "to ask their parliamentary candidates to oppose the government's plan and to amend the Great Repeal Bill after the election in order to keep the charter's protections."

More information: Brexit's Great Repeal Bill will axe the right to health , *The BMJ*, www.bmj.com/content/357/bmj.j2013

Provided by British Medical Journal

Citation: Brexit's Great Repeal Bill will axe the right to health, warn experts (2017, May 2) retrieved 25 April 2024 from <https://medicalxpress.com/news/2017-05-brexit-great-repeal-bill-axe.html>

This document is subject to copyright. Apart from any fair dealing for the purpose of private study or research, no part may be reproduced without the written permission. The content is provided for information purposes only.