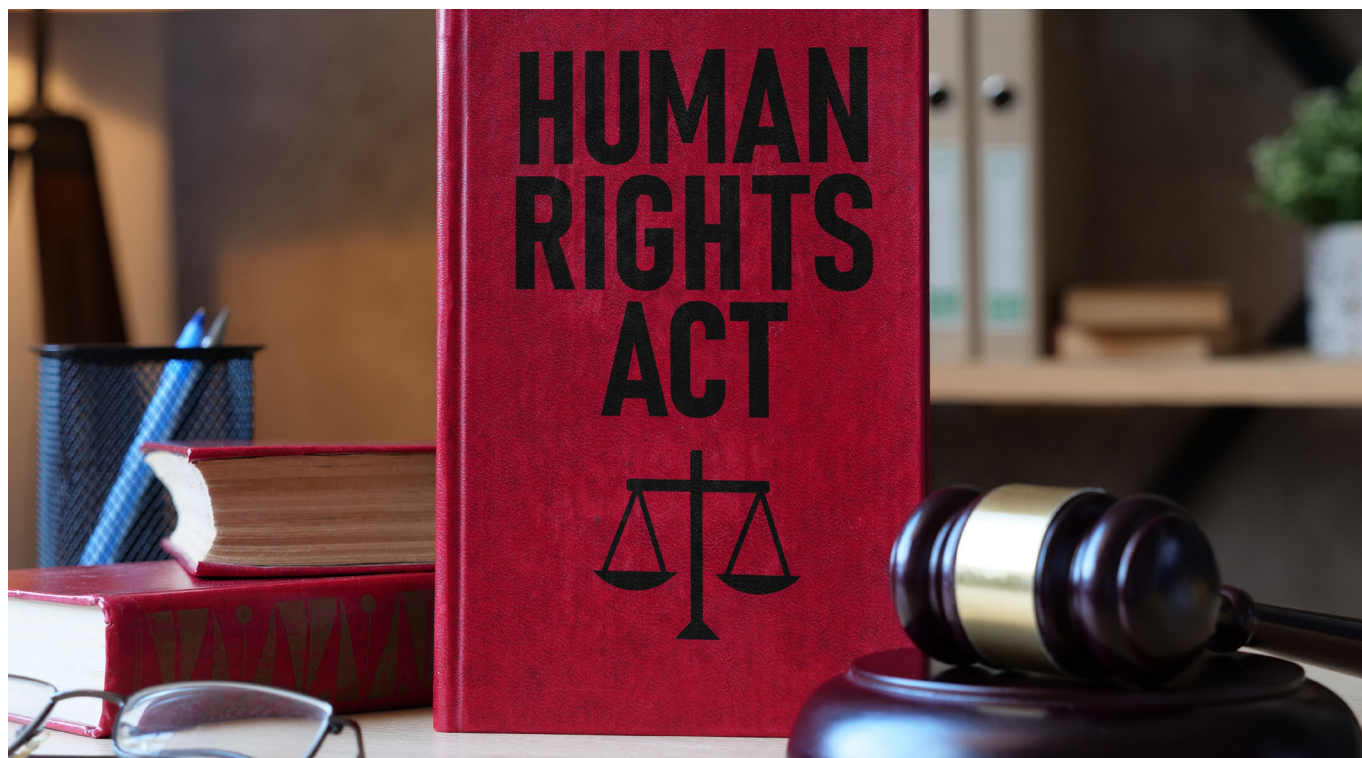


SESSION 2

HUMAN RIGHTS IN THE UK – DO THEY MATTER?



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In this session

Students will explore the importance of the Human Rights Act in the UK and how it can be used to secure rights for each and every one of us. They will analyse and present a range of real-life human rights cases in a courtroom role play where they decide on the judgment.

This is part of our set of sessions in our Further Education pack.

Aims

- To consider why we have human rights and how relevant they are in the UK, and to them personally
- To examine the Human Rights Act and what it can do
- To understand how people can use the Human Rights Act to ensure their rights are respected

You will need

- Access to the internet to watch two video clips:
[Human Rights Explained in a Beautiful Two Minute Animation](#) (2 minutes, 8 seconds)
[When we need more help if we have a disability – human rights](#) (2 minutes)

Handouts: The Human Rights Act – Summary and Background (one per student)
Courtroom case studies (one per group)
Articles and judgments on the case studies (for the teacher)



INTRODUCTION 15 minutes

Human rights in the UK

Ask the class to listen to the statements (below) about human rights in the UK. In response, ask students to form a line in the classroom with strongly agree and disagree at either end.

They must be prepared to justify their opinion. Take some feedback for each statement. Why do they think that?

Teacher note If it is not suitable or there is not enough space to move around in the classroom, students can explain their views to a partner.

Suggested statements and discussion questions

Human rights violations are a problem in some countries but not in the UK

Can you give examples of human rights issues in the UK?

What can we do to change this?

Can you name any countries where you think human rights abuses are a problem?

Why do these come to mind?

Which countries do you think have the best human rights record? Why?

Everyone in the UK enjoys the same basic human rights

Why have you chosen that view?

Can you give examples of rights we all share?

If you disagree, can you give examples of barriers to equal rights?

Human rights are relevant to my daily life

If you agree, how? Which rights can you think of?

If you disagree, is this because rights that are enjoyed are invisible or you don't think about them?

Is it only when a right is violated that it becomes visible and relevant?

What is the Human Rights Act?

Explain to the class that the Human Rights Act is a law that ensures our human rights in the UK. It requires all public bodies to protect the rights in the Act.

It means public authorities, like a school, hospital, the police or government, must respect our rights, and if they don't, we can go to court to enforce them.

Watch a video

Play the clip [Human Rights Explained in a Beautiful Two Minute Animation](https://www.eachother.org.uk/video/human-rights-explained-in-a-beautiful-two-minute-animation) by eachother.org.uk

Ask students to note down their thoughts on the following discussion questions.

What did the 1998 Human Rights Act do?

What does this mean in practice?

What happens if a public body does not respect our human rights?

Are they surprised by this information?

Explain that there are many cases where people have used the Human Rights Act to protect their rights and help justice prevail. They have taken a public body, like the police, a council or a school, to court, but not all prosecutions are successful. Sometimes the court decides that there has not been a breach of the Human Rights Act. Sometimes the judge must make some hard choices between the rights of different groups of people, or between the rights of one person and the safety of the public.

Let them know they will be trying a human rights case in court in the next activity.

Handout

Hand out the *Human Rights Act – Summary and Background* worksheet for students to read.

Discussion questions with a partner

Does everyone in the UK have these rights?

Why or why not?

Ask students to think critically. Answers can include no. Explain that an example of thinking critically could include the fact that for the right to education, free schooling must be available for everyone up to 18, there must be enough school places, those with additional needs must be properly provided for and everyone who wants to study at university should have the opportunity to do so.

Ask students to use this example to structure their answers. What are the barriers to people enjoying their human rights?

MAIN ACTIVITY 1 30 minutes

Courtroom drama

Students will now explore real human rights cases in the UK and role play a courtroom scene.

Emphasise to the class that if you're lucky, you won't ever need to use the Human Rights Act in court. But if anyone feels their human rights have been abused, you can use the Act to take a public body to court, and your case will be assessed by a judge.

Remind them that some cases are successful, others are not.

- Divide the class into four groups.
- Allocate each group a case from the four *Courtroom case studies* worksheet.
- Explain that each group must write a script and deliver a two-minute courtroom drama to present both sides of their case.
- Each group reads the case together and, using their *Human Rights Act – Summary and Background* worksheet, identifies the human rights relevant to everyone involved in the case.

Teacher note Case studies 1 to 3 state the relevant articles of the Human Rights Act that have been violated. Case study 4 does not and is therefore more challenging.

- Each group allocates roles – a narrator to introduce the case, and a prosecution team and a defence team to present their sides of the case to persuade the ‘judge’ to agree with their point of view.
- The judge can be played by the teacher or a student, or the class can act as a collective judge.
- When writing their script, students need to use persuasive writing and speaking techniques.
- After each presentation, ask the class who was the most persuasive – the prosecution or the defence? Then give your quick feedback and explain what really happened in each case. How did the Human Rights Act help or how could it have helped? If it didn’t help, ask the students to explain why they think this was. Refer to the *Articles and judgments* on the case studies handout.
- Ask students whether they are surprised by what happened or with the actual judgment? Would they have made a different judgment? Why? Why not?
- Ask the groups/classes to come out of role and give their own opinion on the case.

Conclude by explaining that court is the last resort after an individual has exhausted all other options to resolve the issue.

Discuss what actions can be taken before reaching court stage and emphasise to students that if their human rights are restricted they may need to follow one or some of these options one day.

- 1 Pinpoint the relevant articles in the UDHR, the Human Rights Act or in other human rights documents that have been breached.
- 2 Contact the public authority responsible or official to ask for help resolving the issue. If not...
- 3 Complain in writing to them – or the manager in charge – and let them know you know they are not entitled to treat you this way. Remind them of their legal obligations.
- 4 If there is still no satisfactory response, is there a professional body you can complain to or contact the Ombudsman?
- 5 Tell others about it: the press, your local MP, any NGOs engaged in human rights activism.
- 6 Speak to a lawyer.

FINALLY... 15 minutes

Giving ordinary people power and protection

Tell students that often it is only when a person experiences a restriction or violation of their human rights that they appreciate the importance and value of the Human Rights Act. The Act gives ordinary people protection and power to improve their own and other people’s lives. It helps to hold authorities and public services to account when things go wrong. It gave Jan Sutton the strength to fight for a better quality of life.



Jan Sutton
Video still from equally-ours.org.uk

Introduce Jan's story

Jan Sutton had multiple sclerosis. For years, she was given such a limited level of care from her council that she was confined to her bed for most of the day. It was degrading and inhumane, Jan said.

Thanks to the Human Rights Act, which requires local authorities to ensure their decisions don't place people in these conditions, she took legal action to secure better care so she could enjoy a better quality of life again – and she won. She went on to defend the Human Rights Act and demonstrate why human rights matter so much to us all. Sadly Jan passed away in 2017.

Watch a video

Play the clip [When we need more help if we have a disability – human rights](https://equally-ours.org.uk) by equally-ours.org.uk (2 minutes). It shows how important the Human Rights Act was for Jan.

Read out Jan's quote:

'The Human Rights Act said it was OK for me to want to be treated like a human being. I needed that. I needed to see it in black-and-white and to know that it is enshrined in law.'

Ask students to discuss and/or write down answers to these sentences:

- 1 The Human Rights Act matters because...
- 2 The Human Rights Act matters to me because...

Take feedback. Encourage students to reflect on the answers they gave at the start of the lesson about how relevant human rights are in the UK and to them personally. Has anyone changed their opinions? Why? Why not?

Explain that the future of this important piece of legislation in the UK, the Human Rights Act, was under threat under the previous Conservative government. It is important that people know about human rights laws so they can use them to protect themselves when their rights are restricted.

Ask students what they can do to protect human rights in their daily lives, locally and across the UK.

Take feedback as a class and highlight that we can all take action to ensure that our rights are enjoyed by everyone, everywhere.

Extension

Students can: Read the full articles of the [Human Rights Act](#), pick one and design a poster for display in school or college to spread awareness. Things to include: the article (for example, Article 2 Right to life) and why it is important.

SESSION 2 RESOURCE

THE HUMAN RIGHTS ACT – SUMMARY AND BACKGROUND

FOR THE
STUDENT



What is the Human Rights Act?

The 1998 Human Rights Act (HRA) protects the human rights of everyone in the UK. It helps protect our freedom, safety and dignity, and helps us hold authorities to account when things go wrong.

It came into force in this country on 1 October 2000 with two main aims:

1 To bring the human rights protected by the European Convention on Human Rights into UK law. Before this, it was more difficult for ordinary people to enforce their human rights. You had to go to the European Court of Human Rights in Strasbourg to challenge the UK government if it violated your rights. Now anyone who believes that their rights have been breached by a public authority can bring a claim against it in the UK courts, or in other procedures including tribunals, hearings and complaints procedures.

2 To bring about a new culture of respect for human rights in the UK.

What does the HRA protect today?

The articles are:

Article 2 Right to life

Everyone's right to life shall be protected by law.

Article 3 Freedom from torture

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

Article 4 Freedom from slavery and forced labour

No one shall be held in slavery or servitude or be required to perform forced or compulsory labour.

Article 5 Right to liberty and security

Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in certain circumstances which are in accordance with the law.

Article 6 Right to a fair trial

Everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

Article 7 Right to no punishment without law

No one shall be held guilty of any criminal offence which did not constitute a criminal offence under national or international law at the time when it was committed.

Article 8 Right to respect for private and family life

Everyone has the right to respect for private and family life, home and correspondence.

LEARNING ABOUT
HUMAN RIGHTS
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Article 9 Freedom of thought conscience and religion

Everyone has the right to freedom of thought, conscience and religion and to manifest their religion or belief, in worship, teaching, practice and observance.

Article 10 Freedom of expression

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority.

Article 11 Freedom of assembly and association

Everyone has the right to freedom of peaceful assembly and to freedom of association, including the right to form and join trade unions

Article 12 Right to marry

Everyone of marriageable age has the right to marry and to have a family, according to the national laws governing the exercise of this right.

Article 14 Protection from discrimination

The enjoyment of rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

First Protocol**Article 1 Protection of property**

The right to peaceful enjoyment of possessions. No one shall be deprived of his possessions except subject to conditions provided for by law.

Article 2 Right to education

No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

Article 3 Right to free elections

Elections must be held at reasonable intervals by secret ballot to ensure the free expressions of the opinion of the people.

Separately but not relevant to this lesson, Protocol 13, Article 1 makes the death penalty illegal in the UK.

SESSION 2 RESOURCE

COURTROOM CASE STUDIES

FOR THE
STUDENT



Metropolitan Police doing Section 44 stops, London, 2010
© Parmorama/Alamy Stock Photo

CASE STUDY 1

STOP AND SEARCH POWERS

In 2003, Kevin Gillan and Pennie Quinton were stopped and searched by police when on their way to a demonstration in London against an arms fair.

They were both stopped outside the Defence Systems and Equipment International exhibition at the Excel Centre in London Docklands.

Kevin Gillan wanted to join the protest against dealing in violent weapons and was detained by police for about 20 minutes as they searched him for articles that could be used in connection with terrorism. The police took away his printouts of information about the demonstration.

Pennie Quinton, a journalist, was on her way to film the protests. The police found nothing incriminating. She didn't return to the fair because she felt intimidated and distressed by the incident.

The police were using powers granted under Section 44 of the Terrorism Act 2000 which allows the Home Secretary to authorise police to make random searches in certain circumstances.

LEARNING ABOUT
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IN FURTHER
EDUCATION

CASE STUDY 1 Cont'd

Speaking later, Pennie Quinton said that safeguards need to be in place to prevent misuse of these powers because people have no redress if they feel they were mistreated during the stop and search process.

Pennie said: 'It's not about saying that there's no need for stop and search. What we're really saying is people have a right to privacy and there needs to be a balance between police powers to ensure our safety but also our rights to a private life.'

Text adapted from [BBC News](#)

TASK

Read the text together as a group.

Refer to the Human Rights Act handout and pinpoint which human rights are relevant in this case. Think about Article 8 and rights to assembly and freedom of expression.

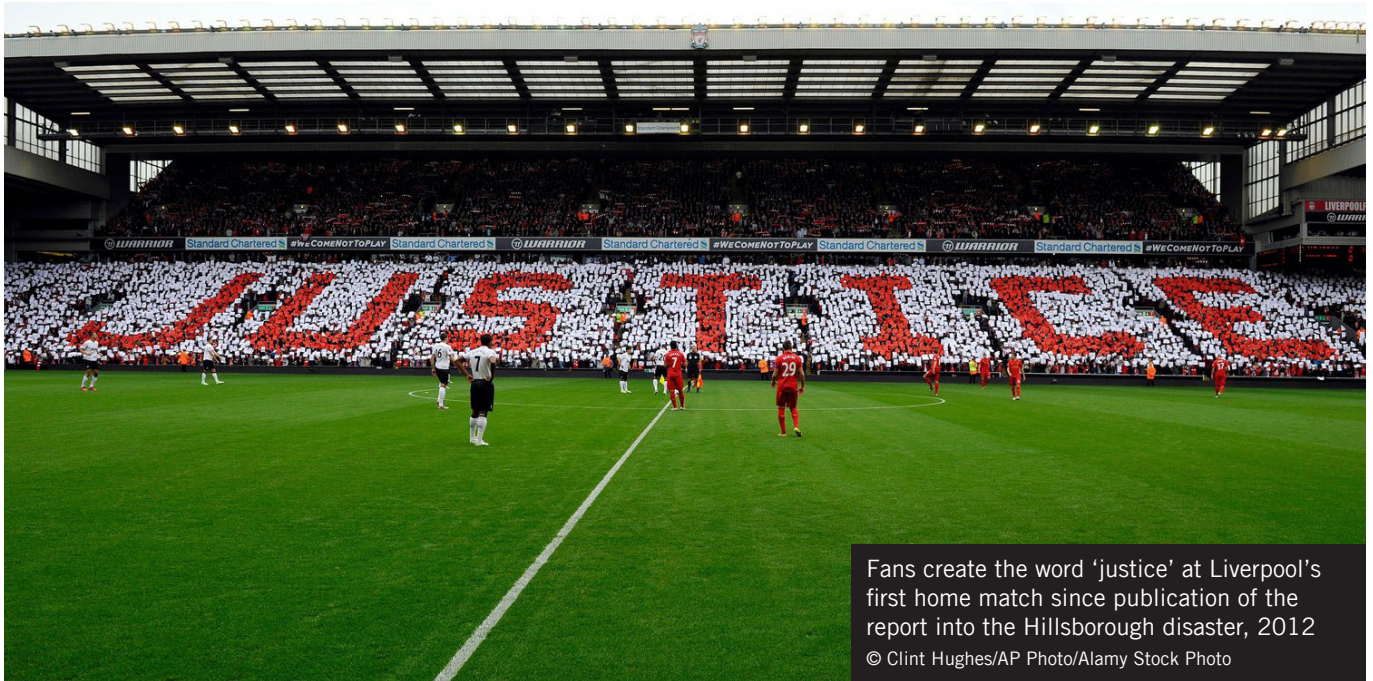
Decide who is going to play the following roles and write the script for your presentation.

Narrator: You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

The prosecution team: You will speak on behalf of two people stopped and searched. You must persuade the class that the actions of the police were unnecessary and justify your opinion.

The defence team: You will speak on behalf of the police. You must argue why you thought their actions were valid and that stop and search is an important tactic to be safe against terrorism, and justify your opinion.

Which side will be the most persuasive?



Fans create the word 'justice' at Liverpool's first home match since publication of the report into the Hillsborough disaster, 2012

© Clint Hughes/AP Photo/Alamy Stock Photo

CASE STUDY 2

HILLSBOROUGH

Ninety-seven Liverpool fans died as a result of the events that unfolded at the FA Cup semi-final between Liverpool and Nottingham Forest on 15 April 1989. Many more people were left injured, traumatised and grieving.

As kick-off approached, a large crowd built up outside the Leppings Lane turnstiles of the Hillsborough stadium. Following an urgent request to relieve the pressure, match commander chief superintendent David Duckenfield gave the order to open an exit gate. Liverpool fans entered via a tunnel on to already-packed terraces. A severe and fatal crush developed in the central pens. However, for years, the police and elements of the media blamed Liverpool supporters. At the inquest held soon after, the coroner reached a verdict of accidental death.

The families of those who died refused to accept this version of events and for years fought for the truth to be told and justice to be done.

Through Article 2 in the Human Rights Act – which places a duty on the state to investigate these kind of deaths properly (most notably when agents of the state, like the police, are involved) and to do so with proper participation from the families of the bereaved – they were able to obtain a new inquest in 2014.

CASE STUDY 2 Cont'd

Article 2 inquests have a much wider remit. The jury had to look at the full circumstances surrounding each death, not just how the person died, and decide whether the actions of the police and ambulance services had played a part.

Among those campaigning for justice were Barry Devonside, Becky Shah and Steve Kelly. Barry's son, Chris, was just 18 when he died. He and Chris had travelled to the game together but had tickets in different stands. Becky lost her mum Inger who always stood at the front at matches because she was so small. Steve's brother Michael was one of the last bodies to be identified.

Steve said: We all deserve the right to life. But we also deserve the right to truth and justice for any of our families or loved ones we ever lose.'

Source: [Amnesty International](#)

TASK

Read the text together as a group.

Refer to the Human Rights Act handout and pinpoint which human rights are relevant in this case. Think about Article 2 and Article 6.

Decide who is going to play the following roles and write the script for your presentation.

Narrator: You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

The prosecution team: You will speak on behalf of the bereaved families. You will argue that the deaths were not accidental but rather the blame lay with police failures, stadium design faults and a delayed response by the ambulance service.

The defence team: You will speak on behalf of the state. You argue that the police and others were not responsible and the deaths were accidental.

Which side will be the most persuasive?



People's Walk for Wildlife, London, 2018
© Facundo Arrizabalaga/Epa-EFE/Shutterstock

CASE STUDY 3

PEOPLE'S WALK FOR WILDLIFE PROTEST BANNED

In 2018, wildlife expert and conservationist Chris Packham organised the People's Walk for Wildlife – a march through London for people to support wildlife and demand pro-wildlife policies.

However, weeks before the march, the Metropolitan Police told Chris that they would not facilitate the march by closing the necessary roads.

If he wanted the march to go ahead, Chris would have to arrange it himself and he was quoted £40,000 by a private company to have the route closed and made safe for the march.

Chris with the help of Liberty threatened legal action using the Human Rights Act. The right to protest is protected by freedom of expression and freedom of assembly. This places a duty on police to put measures in place to respect people's rights – meaning they must help protests go ahead.

Source: [Liberty](#)

TASK

Read the text together as a group.

Refer to the Human Rights Act handout and make a note of which human rights are relevant in this case. Think about Article 11 and its protection.

Decide who is going to play the following roles and write the script for your presentation.

Narrator: You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

The prosecution team: You will speak on behalf of Chris Packham. You must persuade the class that everyone has freedom to protest and to organise protests, and justify your opinion.

The defence team: You will speak on behalf of the police. You must persuade the class that it was a necessary decision not to facilitate the march, it was taken in good faith, and state the reasons why.

Which side will be the most persuasive?



CASE STUDY 4

LANDLORDS REFUSING TO LET

In May 2016, mother-of-one Rosie Keogh attempted to rent a property in a smart area of Birmingham. However, her application was refused when the lettings agency discovered that she would pay some of her rent using housing benefit.

Rosie was told by the agency it would not proceed with her application before it had looked into her individual circumstances or assessed how reliable a tenant she would be. She had lived in her previous property for 11 years and always paid the rent in full and on time.

Rosie wrote a letter of complaint to the lettings agent, which was dismissed. So she took legal action arguing that the ban on benefits indirectly discriminated against women who are more likely to be claimants as they are more likely to be caring for children.

Rosie was supported by the housing charity Shelter, who said: '[Landlords] are actually preventing good tenants from accessing the private rented sector. Women are more likely to be caring for children and therefore working part-time and are therefore more likely to top up their income by claiming housing benefit.'

CASE STUDY 4 Cont'd

According to official figures at the time, 63 per cent of adults receiving housing benefit were women, and 90 per cent of single parent households were female.

The widespread practice of refusing to rent to anyone receiving housing benefit had led to 'no-go zones' for those on lower incomes – especially in desirable residential areas.

Source: [BBC News](#)

TASK

Read the text together as a group.

Refer to the Human Rights Act handout and make a note of which human rights are relevant in this case.

Decide who is going to play the following roles and write the script for your presentation.

Narrator: You introduce the case to the class, explaining clearly what it is about and what human rights are involved.

The prosecution team: You will speak on behalf of Rosie Keogh. You must persuade the class that her human rights have been abused by the lettings agent, and justify your opinion.

The defence team: You will speak on behalf of the lettings agent. You must persuade the class that their decision was valid and justify your opinion.

Which side will be the most persuasive?

SESSION 2 RESOURCE

COURTROOM CASE STUDIES

Articles and Judgments

FOR THE
TEACHER



© Amnesty International/Mojtaba Adibi

CASE 1

STOP AND SEARCH POWERS

Relevant HRA article

Article 8 Right to privacy

What the law says

This text is taken directly from the Human Rights Act.

Article 8 Right to privacy

1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Judgment

In 2010, the European Court of Human Rights ruled that Kevin Gillan and Pennie Quinton's rights under Article 8 of the European Convention on Human Rights – the right to respect for a private life – had been violated. This right is protected in Article 8 of the Human Rights Act.

The court said the stop and search powers were 'not sufficiently circumscribed' and there were not 'adequate legal safeguards against abuse'. The pair were awarded £30,400 to cover legal costs.

Source: <https://hudoc.echr.coe.int/>

CASE 2

HILLSBOROUGH

Relevant HRA articles

Article 2 Right to life

Also look at Article 6 Right to a fair trial

What the law says

This text is taken directly from the Human Rights Act.

Article 2 Right to life

Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which the penalty is provided by law.

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Article 6 Right to a fair trial

1. In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Judgment shall be pronounced publicly but the press and public may be excluded from all or part of the trial in the interest of morals, public order or national security in a democratic society, where the interests of juveniles or the protection of the private life of the parties so require, or to the extent strictly necessary in the opinion of the court in special circumstances where publicity would prejudice the interests of justice.

2. Everyone charged with a criminal offence shall be presumed innocent until proved guilty according to law.

3. Everyone charged with a criminal offence has the following minimum rights:

- to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him
- to have adequate time and facilities for the preparation of his defence
- to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require
- to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him
- to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

Judgment

The second inquest finished in 2016. The jury concluded that those who lost their lives were unlawfully killed, and that mistakes made by the police, ambulance services and those who designed and managed the stadium had caused or contributed to their deaths. Crucially, it also found that the Liverpool fans were not to blame for the disaster. With the help of the Human Rights Act, they were finally able to expose the truth.

CASE 3

PEOPLE'S WALK FOR WILDLIFE PROTEST BANNED

Relevant HRA articles

Article 10 Freedom of expression

Article 11 Freedom of assembly and association

What the law says

This text is taken directly from the Human Rights Act.

Article 10 Freedom of expression

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

2. The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Article 11 Freedom of assembly and association

1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the state.

Judgment

This case did not make it to court. The police, facing legal action, backed down and the march went ahead.

CASE 4

LANDLORDS REFUSING TO LET

Relevant HRA articles

Article 14 Right not to be discriminated against

Article 8 Right to respect for private and family life

What the law says

This text is taken directly from the Human Rights Act.

Article 14 Prohibition of discrimination

The enjoyment of the rights and freedoms set forth in the European Convention on Human Rights and the Human Rights Act shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.

Article 8 Right to privacy

1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Judgment

Eighteen months after Rosie issued a claim for discrimination to county court, the lettings agent admitted indirect discrimination on the grounds of her sex, settling out of court with £2,000 compensation.