

# PROGRAM

## **THE HUMAN RIGHTS ACT: WHERE NOW? European Convention on Human Rights 60<sup>th</sup> Jubilee Celebration**

**METHODIST AND U.R.C. CHURCH HALL, BANK ROAD, MATLOCK**

**1-30 Coffee and sandwiches**

**2-00 OPENING:**

**Patrick McLoughlin MP, Conservative Chief Whip and Parliamentary Secretary to the Treasury**

**2-10: EXPLANATORY TALKS:**

**Sorcha MacLeod, Law Department, University of Sheffield:**

**THE EUROPEAN CONVENTION ON HUMAN RIGHTS – HISTORY AND THE RIGHTS IT PROTECTS**

**Tom Lewis, Nottingham Trent University Law School:**

**THE HUMAN RIGHTS ACT (1998)**

**3-10: Interval and European Convention celebration cake**

**3-30: CASE-BASED PARALLEL DISCUSSIONS PRESENTED BY INTERNATIONAL, NATIONAL AND COUNTY EXPERTS:**

**Asylum and immigration: The rights of foreign national prisoners. Mark Lilley-Tams, Paragon Law, Nottingham**

**Asylum and immigration: A Human Right to go to Kylie concerts and drink cocktails: examining the protection afforded to gay and lesbian asylum seekers. Deirdre Sheahan, Paragon Law, Nottingham**

**Criminal Justice 1: Mike McColgan, Howells Solicitors, Sheffield; Liberty Council**

**Criminal Justice II: Should life mean life? Life sentences and the Human Rights Act. Dr. Jonathon Doak, Nottingham Trent University Law School**

**The HRA and the Local Authority: Lynne Cheong, Bolsover D C., Equalities Officer**

**Journalism, Activism and the Internet: impact of the ECHR: Dr. Stephen Riley, Law Department, Sheffield Hallam University**

**4-30 Plenary Session**

**5-00: Close**

# PRESENTERS

Wirksworth and District Amnesty International are delighted to welcome these professionals to speak and lead discussions on *The Human Rights Act: where now?*

*Specialist practising solicitors:*

## ***Mark Lilley-Tams***

Mark is an Associate Solicitor with the highly successful (Category 1) specialist immigration and asylum law company, Paragon Law, Nottingham. Paragon Law is an acknowledged international leader in immigration law, advising multinational companies and individuals on their responsibilities and rights under international treaties including Human Rights treaties, and receiving briefs for immigration and human rights casework from around the globe, having international offices in Ludhiana and Shanghai. Like all remaining immigration law companies, Paragon is under more than usual pressure now, illustrated by the failure of the company Refugee and Immigrant Justice, which was caused by the long and unfair payments system of the Legal Aid Board.

In 2005, Mark won Paragon's internship for young solicitors. He works in the Deportation and Detention department of the company dealing with many cases that are troubling to Amnesty International members. The appeals he handles are often based on the family ties of his clients in the UK (European Convention Article 8). He has represented clients in appeals before all forums, ranging from the Asylum and Immigration Tribunal to the Supreme Court and the European Court of Human Rights.

[marl@paragonlaw.co.uk](mailto:marl@paragonlaw.co.uk)

[www.paragonlaw.co.uk/index.php/about/bio/mark\\_lilley/deportation\\_and\\_detention](http://www.paragonlaw.co.uk/index.php/about/bio/mark_lilley/deportation_and_detention)

## ***Mike McColgan***

For eighteen years, Mike taught German in Sheffield University Faculty of Arts. However, during the 1980s, he trained in law at the well-known company, Birnbergs, London, (now Birnberg, Pierce and Partners), specialising in criminal, prison, and human rights law, including cases arising from the Northern Ireland Troubles and from the Miners' strike. In Birnbergs he worked alongside famous human rights lawyers such as Gareth Pierce and Paul (now Lord) Boateng.

Since 1990, he has been a defence solicitor with Howells, Sheffield, working on high profile cases throughout the English court system. Mike is also a member of the lawyers' panel of the Paris based International Federation of Human Rights Lawyers, participating in many Human Rights investigations around the world.

Although in Matlock speaking in his own professional capacity, since the early 1990s he has served as Council member of Amnesty International's sister organisation, Liberty Human Rights.

<http://www.howellslp.com>

[mike.mccolgan@howells-solicitors.com](mailto:mike.mccolgan@howells-solicitors.com)

## ***Deirdre Sheahan***

Deirdre works at Paragon Law, Nottingham, as an Associate Solicitor and head of the Asylum team. She has extensive experience in the field of asylum and human rights law over many years. As well as her law qualifications, she holds a Masters in International Law and a International Red Cross Diploma in International Humanitarian Law.

Her work focuses on asylum and human rights cases and she has a broad spectrum of experience in cases dealing with politics, religion, ethnicity and social groups. Her particular area of expertise relates to cases which raise particular vulnerabilities and complexity, such as asylum seeking children and cases involving gender based violence. Whilst she deals with those seeking protection from a wide variety of countries, those of particular interest are Eritrea, Sudan and Iran.

Deirdre was solicitor for HI in the case of two gay men, HJ (Iran) and HT (Cameroon) v. Secretary of State for Home Affairs, when the Supreme Court ruled that under the Geneva Convention, it would be illegal to return the men to home countries where they would be tortured or worse on account of their sexuality. This was a landmark ruling and it is now the leading UK case on sexuality-based protection claims, and will influence the approach taken by countries world-wide in such cases. The title for Deirdre's talk is a quote from the transcript of this case.

[deirdres@paragonlaw.co.uk](mailto:deirdres@paragonlaw.co.uk)

[www.paragonlaw.co.uk/index.php/about/bio/deirdre\\_sheehan/asylum](http://www.paragonlaw.co.uk/index.php/about/bio/deirdre_sheehan/asylum)

## *Local Authority Adviser:*

### *Lynne Cheong*

Lynne is Equalities officer in Bolsover District Council. Before this post, she worked extensively with the Domestic Violence issue, both supporting clients, and advising local authority bodies.

Her core responsibility is oversight of the District Council's compliance with the Equalities Act (2007). The European Convention on Human Rights (and hence the Human Rights Act) regulates equality only in respect of access to the other Convention rights. However, Clause 6 of the Human Rights Act lays specific responsibility on all state bodies (including local authorities) for their work to be conducted consistently with all Articles of the Convention, so the Equalities Act and the Human Rights Act overlap to a considerable extent. This overlap is further reinforced by the Human Rights Act's overarching function with respect to all UK legislation, including the vast body of legislation relating to Local Authority responsibilities.

Lynne therefore advises her Councillors on fair delivery of services irrespective of clients race, gender or sexual orientation, age or disability, a challenging agenda in post-industrial areas of high deprivation such as North East Derbyshire.

Lynne also delivers training to councillors and local authority managers throughout Yorkshire and the East Midlands.

## *University teachers and researchers of human rights law:*

### *Dr Jonathon Doak*

Jonathon is a Reader in Law at Nottingham Law School, Nottingham Trent University where he is also Co-Director of the Criminal Justice Research Group. He has published widely in the fields of victimology, criminal evidence, and restorative justice. He has a particular interest in ideas of international benchmarking and on the impact of international harmonisation on domestic law and policy, of which the 'marriage' of continental and Anglo-Saxon systems required by the Human Rights Act's incorporation of the European Convention into UK domestic law is an important example.

Jonathon has just completed a major review of Youth Conferencing funded by the UK Government Northern Ireland Office, , [View the final report.](#)

His most recent books are:

Doak, J. *Victims' Rights, Human Rights and Criminal Justice: Reconceiving the Role of Third Parties* (2008: Oxford, Hart), and: Doak, J. and McGourlay, C. *Criminal Evidence in Context*, 2nd ed. (2008: London, Routledge Cavendish)

[http://www.ntu.ac.uk/apps/Profiles/63514-1-3/Dr\\_Jonathon\\_Doak.aspx](http://www.ntu.ac.uk/apps/Profiles/63514-1-3/Dr_Jonathon_Doak.aspx)

[jonathon.doak@ntu.ac.uk](mailto:jonathon.doak@ntu.ac.uk)

## **Tom Lewis**

In Nottingham Law School, Nottingham Trent University, Tom teaches Public Law and Human Rights Law, including modules on Human Rights Law in Europe (with the European Convention at its centre). He also teaches the module: Sport, Law and Society, regarding the interactive relationship between sports persons and their societies. Further, he teaches a new module on Expression Law, clearly involving Article 10 of the European Convention, the right to free expression.

He researches the operation and impact of the Human Rights Act (1998), about which he will be talking today. Other particular research interests are Freedom of Expression (ECHR Article 10) and Freedom of Religion (ECHR Article 9).

His most recent projects are regarding the broadcasting ban on political advertising in the UK, and on the approach of the European Court of Human Rights to the issue of religious dress.

[http://www.ntu.ac.uk/apps/Profiles/50569-1-3/Mr\\_Tom\\_Lewis.aspx](http://www.ntu.ac.uk/apps/Profiles/50569-1-3/Mr_Tom_Lewis.aspx)  
[tom.lewis@ntu.ac.uk](mailto:tom.lewis@ntu.ac.uk)

## **Sorcha MacLeod**

Sorcha is a Lecturer in Law in the School of Law at the University of Sheffield having studied at the University of Dundee and the University of Glasgow. She specialises in international human rights law and public international law and has published widely on the issue of business and human rights and corporate social responsibility. She is Co-Director of the School of Law's PRIV-WAR research team which is a three year, EU-funded research project into the impact of the increasing use of private military and security contractors in situations of armed conflict. The project examine the regulatory framework at national, European and international levels, with a view to ensuring improved compliance with human rights and international humanitarian law (<http://priv-war.eu>)

### **Some publications:**

MacLeod, S., *The Role of International Regulatory Initiatives on Business and Human Rights for Holding Private Military and Security Contractors to Account* in Francioni, F. & Ronzitti, N., (eds), *War By Contract: Human Rights, International Humanitarian Law and Private Military and Security Contractors*, (OUP, forthcoming January 2011)

MacLeod, S., *Stuck In The Middle With You?: Alternative Approaches To Realising Accountability For Human Rights Violations By Business* in French, D., Saul., M. & White, N.D., (eds), *International Law and Dispute Settlement: New Problems and Techniques*, (Hart Publishing: Oxford, 2010)

White, N.D. & MacLeod, S., 'EU Operations and Private Military Contractors: Issues of Corporate and Institutional Responsibility' 19 EJIL 965- 988 (2008)

<http://www.sheffield.ac.uk/law/staff/acstaff/macleods.html>  
[s.macleod@sheffield.ac.uk](mailto:s.macleod@sheffield.ac.uk)

## **Dr. Stephen Riley**

Stephen is a Senior Lecturer in the Law Department at Sheffield Hallam University, where he specialises in the Philosophy of Law. After graduating from the Law Department of the University of Warwick, he completed his PhD at Lancaster University, where he was funded by the Arts and Humanities Research Board (now Council) to study basic concepts in international criminal law.

This broad base has developed into a wide range of studies relevant to the complex issues raised by modern society. For example, he has published on, and also teaches, the dignity concept in relation to both human rights and specific legal systems. He has also compared concepts of evil in various international legal systems, and has published on victimhood, on fascism, and on the concept of punishment in various legal systems.

Stephen will help us explore political activism in the modern contexts of journalism and the Internet.

### **Some references:**

'Human Dignity: Comparative and Conceptual Debates' 6(2) *International Journal of Law in Context* (2010) 117-138.

'Observing the Breach: Dignity and the Limits of Political Theology' 19(2) *Law and Critique* (2008) 115-138.

'Contemporary Dialogues with Fascist Law and Jurisprudence', *International Journal of Law in Context* (March 2007)

<http://www.shu.ac.uk/research/lrg/sp-stephen-riley.html>  
[s.riley@shu.ac.uk](mailto:s.riley@shu.ac.uk)