

## Changing the Face of Human Rights

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**BIHR Patron Jon Snow, talks about attitudes to human rights in the UK and his vision of a British constitution with a bill of rights at its core. We discuss the negative portrayal of human rights in the media, and what can be done to change it. Full interview on pages 4-5.**



### Out of the courtroom and into the classroom; teaching human rights in schools

**BIHR's Human Rights in Schools project, supported by the Ministry of Justice and others, brings human rights into the heart of the classroom. We support secondary schools in England to teach about human rights, how they are protected, and the responsibilities everyone has for upholding them. Read about how we encourage young people to act as ambassadors for human rights on pages 8-9.**



# Welcome



Jean Candler

## Changing the Face of Human Rights

I have great pleasure in introducing this issue of BIHR News, and with it our latest initiative to tackle head on misperceptions of human rights. Since the Human Rights Act was passed ten years ago, BIHR has been working across the public and third sectors to make rights real in everyday settings.

We are beginning to see the results – an Ipsos MORI evaluation of our work with the Department of Health (see p.3) shows an increase in the use of human rights by patients and health professionals leading to improvements in care.

These green shoots however, are pushing hard against entrenched views that human rights benefit criminals over victims, or that the Human Rights Act has stopped people taking responsibility towards each other. As Jon Snow tells us (p.4): "Britain's attitude to human rights has been badly manipulated by elements of the political classes, and the Human Rights Act became subjected to particularly irrational attack."

The predominantly negative public discourse about human rights, fuelled by some parts of the media, acts as a powerful disincentive for people and groups to learn more about human rights and how they can be useful in everyday life. Some organisations are reticent to use human rights because they fear public hostility.

But tackling this negative discourse is possible if people are provided with accurate, accessible, and practical information about human rights and how they can be used in and 'beyond the courtroom' to improve people's lives. BIHR's wide experience of working with organisations and engaging in public debates has shown us that negative attitudes towards human rights are reversible when such information is provided.

Our new initiative promotes a fresh vision of human rights to show their fundamental importance for everyone. Fundamental – because we are talking about basic human rights standards to stop abuse, such as the wholly unacceptable way in which many older people are treated in care (see p.3 for our new initiative to extend human rights protection to more older people).

Over the next year, BIHR is planning a variety of activities to vividly communicate human rights to the public.

We begin in January with a major conference about how to challenge the portrayal of human rights, using the arts, media, and campaigns. (see p.3).

We hope you will join us at this conference and in our other activities to bring rights to life for all people. It is a tough challenge, but one we need to take on now more than ever, if we are ultimately to change the face of human rights.

**Jean Candler**  
**Head of Policy and Public Affairs**  
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## BIHR News

### New poverty project

In October 2008, BIHR commenced its new poverty project. Part-funded by the City Parochial Foundation, the project will initially pilot in London. It aims to use human rights based approaches to strengthen the voices of people experiencing poverty.

Subject to securing further project partners and funding, BIHR hopes to expand this pilot beyond London. Contact Roisin Cavanagh to find out more ([rcavanagh@bihr.org.uk](mailto:rcavanagh@bihr.org.uk)) or visit [www.bihr.org.uk](http://www.bihr.org.uk)

### BIHR launches assessment of human rights in the third sector

Principles to Practice, BIHR's project to make human rights principles and standards real for third sector organisations, is consulting the third sector in England about its human rights needs and priorities.

Through identifying these needs, the assessment will be pivotal in providing appropriate human rights information, training and support for the sector.

BIHR believes that for human rights to be meaningful people need to be empowered to own and claim them. Consequently, telling people or organisations about their rights is not enough. It is essential that third sector organisations themselves explore the relevance of human rights to their own work, and identify how human rights relate to the needs of the groups and people they work with.

Five free regional needs scoping events, organised in partnership with the National Equality Partnership and with the support of regional equality organisations, will be held across England in October and November 2008.

The 200 participants come from second tier infrastructure and support organisations working

on equality, social exclusion and community relations. The events include a number of consultative discussions aimed at identifying the human rights needs of the sector.

The findings from these events will ensure that the capacity-building provided by BIHR and others, such as training and information, reflect the needs and interests of the sector.

### BIHR partners up with filmmakers

BIHR is working with the Documentary Film Group (DFG) to make a number of short films about human rights in the UK. DFG will train 16 women in film direction and production. The films are due to be shot next year. Ideas for film topics are still needed, so please contact Jean Candler if you have a compelling idea of a human rights issue in the UK that needs exploring and can be effectively told through film ([jcandler@bihr.org.uk](mailto:jcandler@bihr.org.uk)).

## Human rights improving healthcare

It is fitting that in a year that marks the 60<sup>th</sup> anniversary of both the NHS and the Universal Declaration of Human Rights, some significant work has been taking place to use human rights to improve the health service. October 2008 will see the launch of the second edition of the publication 'Human rights in healthcare – a framework for local action', alongside a new accompanying publication, 'Human rights in healthcare – a short introduction.'

These publications are the culmination of the second phase of the Department of Health's 'human rights in healthcare' project in partnership with five NHS trusts and supported by BIHR. The publications set out how NHS trusts can incorporate human rights principles, such as fairness, respect, equality, dignity and autonomy, into the daily experiences of all patients and staff. Tools have also been developed by the five NHS trusts which other NHS organisations will be able to pick up and use, such as training modules and a risk management plan.

The project is a groundbreaking model of how public service providers can take forward a human rights based approach. It is one of the few piloted examples in the UK and has generated huge interest within the public sector.

A recent evaluation of the project by Ipsos MORI found that it has already had a significant impact on the work of the five NHS Trusts involved, for example:

*"Human rights queries are now routinely raised by staff, carers and service users as a result of the training they have received ... These queries mean that care decisions are changing to become more human rights based which in turn, means that service users are receiving a better quality of care.."*

Over the next year, BIHR hopes to take forward the learning from this project in wider work with the health and social care sectors.



## BIHR and Age Concern launch project to empower older people to use human rights

Older people are still being subjected to appalling human rights abuses in hospitals and care homes. Age Concern's recent report, *On the Right Track?*, reveals the shocking testimonies of older people who

have been left to sit in their own excrement or denied food and water because staff are too busy or under-resourced. BIHR has partnered with Age Concern on a joint project funded by Comic Relief to empower older people to use human rights to better their own lives.

Over the coming months, information and training about human rights will be developed for disadvantaged older people.

The information and training will help older people to understand human rights, and give them the language and skills they need to challenge and influence the bad practice or policies that affect them directly within their local community.

Sonia Omar, Third Sector Development Officer at BIHR, said 'this project is about empowering older people to recognise when their human rights are being breached, and to challenge the public services and authorities responsible. We want older people to be able to claim and own their human rights'.

The project will also support participants to contribute to the development of Age Concern's national policy and influencing work.

Learning from the project will be disseminated across the third sector and to other relevant stakeholders.

In a separate piece of work BIHR is working with ethical marketing company, Forsters For Change, to produce a media pack about the human rights of older people.

## Conference challenges attitudes to human rights

BIHR will host a major conference, 'Changing the Face of Human Rights', on Wednesday 28 January 2009, at the British Library to coincide with its exhibition, *Taking Liberties: the Struggle for Britain's Freedoms and Rights*.

The conference will both capture key debates about human rights and challenge prevailing attitudes.

Speakers and contributors include **Anna Ford** (former journalist and newsreader), **the Rt Hon Jack Straw MP** (Secretary of State for Justice), **Trevor Phillips** (Chair of the Equality and Human Rights Commission), **Professor Monica McWilliams** (Chief Commissioner for Human Rights in Northern Ireland), **Mark Easton** (Home Editor, BBC News), **Andrew Dismore MP** (Chair of the Joint Committee on Human Rights), **Professor Francesca Klug OBE** (Commissioner, Equality and Human Rights Commission), **Clare Short MP** (Independent MP and former Secretary of State for International Development), **Yasmin Alibhai-Brown** (Journalist), **Jeremy Dear** (General Secretary, National Union of Journalists), **Professor Roy Greenslade** (Professor of Journalism at City University London, and journalist, Daily Telegraph), **Kevin Maguire** (Daily Mirror), **Christine Bacon** (Director, Actors for Human Rights), **Sabina Frediani** (Campaigns Manager, Liberty), **Peter Facey** (Director, Unlock Democracy).

Media will be a core focus and a panel of leading journalists and commentators will discuss how the British media portrays human rights and how this can be influenced. A range of workshops will investigate topics such as: public attitudes to human rights and how to respond to the challenges they present; how the arts can be used to communicate about human rights; more effective human rights campaigning; using human rights to reformulate services; and the Bill of Rights debate.

The conference is for anyone with an interest in human rights, equality and diversity, and specifically:

- Advocates and organisations that represent disadvantaged groups
- Policy and communications staff in the public and third sectors
- Media, academics and think tanks
- Public bodies, Government, Whitehall, Equality and Human Rights Commission, Joint Committee on Human Rights

The conference is co-sponsored by the Ministry of Justice and the Equality and Human Rights Commission who share BIHR's vision of a culture in which human rights are well understood, fully respected and fulfilled.

**To book your place at the BIHR Annual Conference, visit [www.bihar.org.uk](http://www.bihar.org.uk) or to find out more email [events@bihr.org.uk](mailto:events@bihr.org.uk)**

# In Conversation with Jon Snow



Jon Snow with BIHR Director, Katie Ghose, chairing the BIHR Annual Conference 2007

**BIHR's campaign to change the face of human rights aims to shift public, political and media perceptions of human rights.**

**Here we talk to BIHR patron Jon Snow about perceptions of human rights in the UK and the impact of the media on people's views.**

**Q. Why did you become a patron of BIHR?**

The whole subject of human rights is at the very core of a civilised society and human rights define civilization. I think that Britain's attitude to human rights has been badly manipulated by elements of the political classes, and that the Human Rights Act became subjected to particularly irrational attack. This was partly because it had some genesis in Europe, and partly because it was used as a sort of whipping boy for people who were just resistant to change, and resistant to embrace a concept of rights.

I think it's very difficult in a society that doesn't have a written constitution quite to understand where a written Human Rights Act fits, and where human rights exist in a context in which we are often regarded as subjects as opposed to citizens.

So I felt that the time was right when BIHR approached me a few years ago to rally to its cause – and as a journalist I think there is hardly any higher cause.

**Q. How are human rights generally perceived by the British public?**

I think largely with confusion because the media does a poor job of representing what they are. It's a very, very strange thing if you contrast our attitude to rights with that of the United States, as whatever their faults and their legion, the constitution of the United States right from the earliest point puts the citizen at the very heart of the law. I think we were apt to put the crown at the very heart of the law – and that seems to me to be upside down.

**Q. What about the perception that human rights is an international rather than a domestic issue?**

Being an internationalist myself, I think it is something which brings people together rather than drives them apart. But little Englanders in particular have fought against the Human Rights Act and against the concept of human rights, precisely because they think that in some way it undermines our sovereignty.

The fact that there is appeal to a system of justice beyond our own, and yet one in which we have a perfectly defined role and set of rights, is something which rings alarm bells in their heads. In fact I think a lot of people who are the enemies of human rights are in fact the enemies of the concept of internationalism and the concept of Europe – Europe in particular. But I also think that attitude is dated and that it's dying out. People overestimate its power.

**Q. So do you think younger people have a different attitude towards human rights?**

I do, because I think that younger people are much more naturally Europeans, and are much more at ease with the idea that they are citizens and not subjects. And they are taught about it in schools. The concept of human rights was not addressed in any education experience I had right through to the end of university even though I did law.



*“As a journalist, I think there is hardly any higher cause than human rights”.*

**Q. How are human rights portrayed by the media?**

Well I think the media in a sense is in much the same condition as the citizenry. I think the media is ignorant about human rights in the main. There is no human rights training. There is no mechanism for them to learn about human rights, if they have not been educated in a context in which human rights is a natural element of their education. It's going to be chance if they understand what's going on.

It's interesting because a lot of journalists can understand a situation like Burma or the Apartheid regime in South Africa or indeed what's going on in the Occupied Territories as violations of rights and of human rights, but can't apply it to their own domestic situation. I think that the concept of human rights is better covered abroad than it is at home which is a very strange state of affairs – it is almost as if they don't apply here but they do apply in Burma. People don't apply what they see in other countries to their own.

**Q. Does the media scapegoat human rights?**

The media go along with the political classes scapegoating human rights. Of course some of the more rabid tabloids scapegoat human rights but I think that the media tends to follow in the wake of the political classes rather than necessarily taking the lead. There's a sort of knee-jerk scapegoating rather than a thought-out scapegoating.

The negative portrayal of human rights in the media is a combination of ignorance and misbehaviour by the political classes.

**Q. What can be done to change the mostly negative portrayal of the Human Rights Act in the media?**

Basically do what BIHR is doing, which is to promote human rights, and to promote an education and an understanding of human rights, and to keep bringing home to people what their rights actually are.

People are so unaware of their human rights and if they were aware they would be more aggressive in defending them.

Take the 42 days which I think is a real test of human rights. We were all brought up on the absolute fundamental of *habeas corpus* – you could not detain somebody without trial for more than a matter of a few hours, or days at the most, and the idea that you can now hold people for more than a month without subjecting them to any form of trial procedure is clearly a fundamental violation of human rights. Yet we're living in a society where that's now been done, and we are living in a world where we have an alliance with a state that has locked people up for 5 or 6 years without any recourse to justice, any. It seems to me that this is where the media has been very, very weak in not bringing the facts home. It's very odd that the unelected chamber is the chamber that is resisting the violation of human rights enshrined in 42 days, and the elected chamber has simply gone along with it – and the media with it.

**Q. What do you think would happen to the HRA under a Conservative government?**

I doubt very much will happen to it to be honest – I think there has been a lot of gas and hot air about the Human Rights Act. To repeal the Act would involve a fundamental renegotiation with Europe and although I think they are Eurosceptics, I am dubious that they will go down that road, because a whole load of other things are attached to it that will be rather painful.

People say a lot of things in opposition but I think the reality of government may visit them in some other form.

**Q. What can NGOs and individuals do to challenge the negative discourse around human rights?**

At every opportunity ensure that the media in particular understand the relevance of human rights to any given situation. A newsletter

like this is one mechanism, and another is obviously to send press releases and to ring and email people who are working on specific stories – 'are you aware that...?'. The great thing about the internet age is that there is much more dialogue with the media than there ever was. Very often it is sheer ignorance – it's not a malicious desire by the media to smash up human rights or ignore them.

**“A lot of journalists can understand a situation like Burma or the Apartheid regime in South Africa ... as violations of rights and of human rights, but can't apply it to their own domestic situation”.**

**Q. Have you a message for our conference delegates who will be meeting to explore these issues in January?**

Miss no opportunity when you see the by-line of somebody who is covering a story that you think frankly needs a greater awareness of its relationship to human rights. Email the individual, you can almost invariably find out the address. Be vigilant and aggressive in your pursuit.

**Q. What do you think about the potential British Bill of Rights?**

I don't really know. I am in favour of a written constitution, so what I'd really like to do is to see an entire British constitution with a Bill of Rights at its very heart. I would like a 'we the people' constitution which is centred on individual rights and not on our relationship to the crown.

Virtually every other country on earth has a written constitution and almost the only ones that don't have a written constitution are ones we've infected. I think that history shows us very vividly that without a written constitution there is no certainty. Whatever its shortcomings I still think the constitution in the United States is a brilliant document, although I'm not sure that I agree with all the amendments, not least Article 2 – the right to carry guns.

**Q. Would the written constitution include the full range of rights – social, cultural and economic?**

It would obviously deal with racial, sexual and other aspects of equality and opportunity – yes the full gamut of human rights. But on the other hand it should be a simple, short and uplifting offering – not turgid, we can look to case law for the turgidity. I wouldn't even mind seeing a national anthem that enshrined a concept of human rights. There's something strange about our greatest national aspiration being a request to God to save our Queen!

## **BIHR submits evidence to Human Rights Inquiry**

BIHR has seen an acceleration of interest in human rights among public authorities in the past year, but warns that awareness of the Human Rights Act (HRA) remains low, in its recent response to the Equality and Human Rights Commission's inquiry into how human rights work in Britain.

As well as submitting written evidence in July, BIHR was called to give oral evidence in September, which was presented by Acting Director, Ceri Goddard, and BIHR Chairman, Sir Geoffrey Bindman.

BIHR also organised a day of evidence-gathering focus groups to facilitate the input of 40 representatives from voluntary organisations, attended by Dame Nuala O'Loan, the Independent Chair of the Human Rights Inquiry.

The evidence gathered by BIHR identified the barriers preventing effective use of the HRA and put forward a number of recommendations, highlighting in particular the need for an ambitious public awareness campaign to open up the current debate, combat myths and offer a fresh and compelling narrative about human rights. BIHR also highlighted the importance of achieving cross-party political consensus on the value of the HRA.

Another recommendation was that information and training on human rights must be available for service users and the organisations that support them. This should be coupled with practical information for service providers about how to take human rights beyond compliance with the law and integrate them throughout their services.

The appetite for such support is increasing. Some public authorities are using BIHR's training and consultancy as a starting point for broader initiatives aimed at developing a more strategic or organisation-wide approach to human rights.

**The Human Rights Inquiry is due to publish its final report in March 2009.**

**For a full copy of BIHR's submission, please see [www.bihr.co.uk/policy](http://www.bihr.co.uk/policy)**

## **Positive end to BIHR's campaign to close the Human Rights Act loophole**

BIHR has been at the forefront of a successful campaign to protect the rights of all people in care homes.

In June 2007 the House of Lords ruled that the Human Rights Act does not apply to private and voluntary sector care homes providing services under contract to local authorities.

As a consequence, hundreds of thousands of older and disabled people in residential care were left without the protection they were promised when the Human Rights Act was passed by Parliament ten years ago.

BIHR led a coalition of organisations which successfully lobbied the Government and Parliament to close this legal 'loophole'.

The Health and Social Care Act (Section 145), that came into force in October 2008, now binds private and voluntary sector organisations providing residential care services under contract to local authorities to the Human Rights Act, thereby ensuring that vulnerable people in these care homes can challenge abuse.

Peter Osborne, Ben Rogers and Ceri Goddard (left to right) debate rights and responsibilities at the BIHR fringe.



## **BIHR presence at party conferences**

BIHR attended the three main political party conferences to meet and lobby MPs.

At the Liberal Democrats and Labour conferences, BIHR, other NGOs and the Equality and Human Rights Commission co-hosted 'Rights for all', a reception to celebrate 60 years of the Universal Declaration of Human Rights.

At the Conservative party conference BIHR ran a fringe event jointly with Oxfam on the topic: 'What comes first – rights or responsibilities? Can human rights help the Conservatives give power to the people?'

Peter Osborne, political columnist for the Daily Mail, chaired a lively debate, which centred on the relationship between poverty and power, and how human rights can help empower people to get involved in politics at a local or national level. It also helped debunk some of the myths about human rights.

Speakers included Ben Rogers, Deputy Chair of the Conservative party's Human Rights Commission; John Wadham, Legal Director of

the Equality and Human Rights Commission; Antonia Bance from Oxfam's UK Poverty Programme and Ceri Goddard, Acting Director of BIHR.

For Ben Rogers, 'uber political correctness' and 'domestic navel gazing' are damaging the domestic human rights debate. Using Abu Hamza as an example, he warned that the misapplication of human rights legislation could undermine the principles underlying it.

John Wadham (EHRC) said that 'political correctness gone mad' media stories often did not reflect the truth. The right to a fair trial was set in UK common law long before the Human Rights Act.

Ceri Goddard argued that although rights and responsibilities are intertwined, responsibilities are contingent on having rights first.

On behalf of BIHR she called for the Conservatives to stop discussing the content of the Human Rights Act and focus on how to realise the rights it protects to empower individuals.

# Spotlight on BIHR's Training in Wales

BIHR provides in-house training, awareness-raising workshops, consultancy and other practical tools to voluntary and community organisations and providers of public services. We have a particular focus on those working to tackle social exclusion, disadvantage and inequality.

This issue the spotlight is on our recent training sessions in Wales.

The first Human Rights Summit in Wales took place in March 2008. BIHR partnered the event and our Director, Katie Ghose, gave a keynote speech. The discussion focused on how to transform front-line services, to base them on human rights principles such as dignity, respect and fairness. Participants showed a determination to implement human rights based approaches within their work.

In 2008 BIHR has delivered training to a wide range of organisations in Wales across the voluntary and public sectors. Here we focus on two organisations in Wales that we have worked with recently, the Welsh Refugee Council and the Welsh Assembly Government.

## Welsh Refugee Council

Estimated figures suggest about 10,000 people with refugee status have settled in Wales over the past ten years. The Welsh Refugee Council (WRC) is an independent charity that empowers refugees and asylum seekers to rebuild their lives in Wales. They are also actively involved in campaigning for refugee rights.

Mike Lewis, Chief Executive of the WRC, commissioned BIHR to provide training to staff and volunteers, after realising that whilst human rights lie at the core of the WRC's work, very few of the 50 staff and 40 volunteers had a solid understanding of how a human rights based agenda could be used. He said: "having come from the children's sector which has a very clear vision of what rights look like, it seemed to me

that our case workers could be using a rights-based agenda in their advocacy work – which has proven the case since you did the training."

In March, BIHR ran training sessions for all WRC staff, and some volunteers. The training focused on the rights within the Human Rights Act of particular relevance to refugees and asylum seekers, and provided a space for participants to discuss how a human rights based approach could be used to provide better services to clients.

Mike said of the training: "It was very well done. The trainer changed the pace according to the needs of the group, to ensure everyone was involved, including those participants with English as their 2<sup>nd</sup> language. We positively recommend BIHR's training to other refugee organisations".

The day contextualised the work of the WRC in a human rights environment and as a result, the organisation will be linking broader rights-based issues with practical issues such as trafficking or domestic violence. They are increasingly reframing how they talk about their work in terms of human rights, and are beginning to use rights-based arguments to challenge practices.

Mike describes the training as "a building block that was missing from the organisation" and is now planning to integrate human rights based approaches into the organisation's overall strategy.

## Equality Support Unit, Department of Economy and Transport Welsh Assembly Government,

Unusually for a government department, the Department of Economy and Transport (DET) is not only a developer of strategy and policy, but also a service provider. Within the department the Equality and Support Unit is responsible for providing advice, guidance and facilitation on the

practicalities of implementing best practice in equality, diversity and human rights.

There are potentially large implications for human rights in the area of economic development and transport, particularly in relation to issues such as regeneration and certain elements of transport. Phil Jenkins, Head of the Equality and Support Unit, organised BIHR training for the six members of the unit, as the first step towards creating a department-wide approach to human rights best practice.

The training provided general information about the Human Rights Act (HRA), alongside a specific focus on the department's area of work. Participants explored working examples of how the HRA could affect and influence decisions and developments within their department.

Following the training, Lea Beckerleg of the Equality and Support Unit was able to assist the Transport Division in incorporating human rights considerations into its social impact review.

The training highlighted how human rights can contribute far more to an organisation than just ensuring it keeps to its legal requirements. Phil Jenkins says: "as well as using human rights as a stick you can use them as a carrot ... this isn't just about keeping ourselves out of court, this is actually offering us instructions as to how we should be reviewing our services, and making them a positive experience for the people of Wales".

The Human Rights Summit and the requests for human rights training show an increasing awareness of the potential of human rights to help public and voluntary sector organisations not just avoid legal pitfalls, but actively make their services positive and helpful experiences for the people of Wales.



Participants at a BIHR training session

**BIHR is the leading provider of human rights training to the public and third sectors, working at national, regional and local levels. For more information about our training please contact Lucy Mathews, Development and Training Coordinator (tel: 020 7848 1816, email: [training@bihr.org.uk](mailto:training@bihr.org.uk))**

# Human Rights in Schools: out of the courtroom and into the classroom

*"Human rights education is much more than a lesson in schools or a theme for a day; it is a process to equip people with the tools they need to live lives of security and dignity"*  
Kofi Annan, Former Secretary General of the United Nations, 2004

To develop a society based on core human rights values such as equality, respect and dignity, it is vital that young people know what human rights are, how they are protected, and the responsibilities they have for upholding them.

BIHR has been working on the **Human Rights in Schools** project since 2006. The project brings human rights into the heart of the classroom, supporting secondary schools in England to contribute to a culture of human rights through providing teaching materials, training and support for teachers, and guidelines for school leaders on developing a whole-school approach to human rights.

Through learning about human rights and seeing them in action, young people are encouraged to act as ambassadors for human rights, and reflect these lessons in their communities and the outside world. BIHR Education Officer, Helen Trivers, comments that "creating human rights friendly classrooms and corridors will enable young people to make the connection between human rights values and their everyday lives".

The project is conducted in partnership with the Ministry of Justice, and supported by Amnesty International UK and the Department for Children, Schools and Families. It stemmed from a piece of research commissioned by the Department for Constitutional Affairs (now the Ministry of Justice) in 2005. The research explored what the Government could do to support secondary schools to teach human rights – with a special focus on the UK's Human Rights Act.

The report recommended the production of a new, good quality teaching resource that would focus on human rights in a UK context and support young people to understand the relevance of human rights to their own lives, in their schools and across communities. The resource was to be accompanied by training for teachers, to give them confidence using it.

The research also highlighted the commonly held view that learning about human rights will be irrelevant and have little real consequence for young people unless they also experience human rights in action in the wider school environment around them. To enable young people to understand human rights, schools needed further information and support to develop and apply a school-wide approach to human rights.

BIHR Education Officer, Helen Trivers, discussing human rights with students at Central Foundation Girls' School, London





BIHR Director, Katie Ghose talks to students about human rights

cohesion, tackling bullying and supporting the Every Child Matters agenda, as well as the core aim of providing quality education. "There can hardly be a more important topic than how children and young people grow to understand their own rights as individuals and their responsibilities in respecting the rights of others," writes Carole Whitty, National Association of Headteachers, "we hope that by making more use of human rights our school leaders will have a language and a discussion framework which will create unity".

*“Giving young people the chance to learn about human rights and the rights of those around them is a vital part of building a wider culture of human rights.” Michael Wills, Ministry of Justice*

#### Get involved

Moving forward, BIHR is committed to continuing to support schools to deliver quality human rights education and will be building on and expanding the work started through the **Human Rights in Schools** project.

You can help fund BIHR's work to inform young people about human rights and encourage them to take action on the human rights issues affecting them in their own communities.

BIHR is also looking to work with secondary schools who are interested in making this whole-school approach to human rights a reality in their school.

If you would like to find out more, get involved or help fund this vital work please contact Helen Trivers, BIHR's Education Officer, on 0207 848 1926 or [htrivers@bihr.org.uk](mailto:htrivers@bihr.org.uk).

**The Key Stage 3 resource is available for free. Visit [www.bihar.org.uk](http://www.bihar.org.uk) to download it or to order a hard copy.**

#### Rights Here, Right Now: Teaching Citizenship Through Human Rights

In July 2008, Human Rights Minister Michael Wills launched *Right Here, Right Now*, a teaching resource developed to help citizenship teachers to teach the new Key Stage 3 (KS3) citizenship curriculum, introduced this year.

At the launch of the resource at Central Foundation Girls' School in Mile End, London, Michael Wills said, "Giving young people the chance to learn about human rights and the rights of those around them is a vital part of building a wider culture of human rights."

Jim Knight, Schools Minister at the Department for Children, Schools and Families, also welcomed the project: "This is an excellent resource, ensuring young people learn about human rights and their responsibilities towards the rights of those around them. Schools should be breeding grounds for tolerance – one of the essential British values. Young people from different backgrounds are discussing some of today's most controversial questions in an atmosphere of mutual respect."

Through the resource, young people will learn about human rights, how they are protected, and their value as a framework for debating complex issues that are relevant to their lives such as bullying, exclusion, and uniforms. The resource supports them to recognise human rights issues in their own communities and encourages them to think about how they could take action on these issues.

The resource also provides teachers with ideas on how to talk about controversial issues from a human rights perspective.

#### Teacher training

To celebrate the launch of the KS3 resource, a series of free regional teacher training sessions took place during the summer term of 2008. The one-day sessions were hugely popular, and over 150 participants took part. Teachers were trained in human rights principles and law, including the UK Human Rights Act and the United Nations Convention on the Rights of the Child.

Participants explored how to teach human rights in the classroom in an effective and engaging way. A teacher attending the Leeds session said: "it was an excellent training session, very useful and informative, and it put human rights into a more friendly context. It also gave great ideas and ways to think about the teaching of human rights that I had not considered before."

#### Whole-school guidelines

Whilst it is important to learn about human rights in the classroom, understanding human rights principles is best achieved by experiencing them in action. The **Human Rights in Schools** project has developed whole-school guidelines for school leaders to help them achieve the shift from principles to practice.

The guidelines set out how schools can develop their own human rights based approaches, to make dignity, equality, respect, fairness and autonomy a routine part of the experiences of every pupil and member of staff. Human rights can be integrated into everything that the school does, from how teachers teach, and the way the school is led and managed, to how its policies and plans are developed and implemented.

The guidelines support school-wide goals such as promoting student voice, ensuring equal access and participation, building community



## Publications

### Right Here, Right Now: Teaching Citizenship Through Human Rights

This Key Stage 3 Teaching Resource is an essential tool for all citizenship teachers. It has been carefully designed to link to the new Key Stage 3 Citizenship curriculum, taught from September 2008. It contains a series of lesson plans, complete with comprehensive notes and resources to help explore human rights issues with students.

Visit [www.bihar.org.uk](http://www.bihar.org.uk) to order a hard copy of the resource or to find out how to download a copy.

### Human Rights are Children's Rights: A Guide to Ensuring Children and Young People's Rights Are Respected

This publication is for anyone working with children and young people. It provides practical information about the Human Rights Act and how it can be used to protect, promote and realise children's human rights. BIHR worked

with the National Children's Bureau (NCB) on this guide which is available from the NCB website, [www.ncb.org.uk](http://www.ncb.org.uk). Proceeds from the sale of this publication go to NCB.

### Human Rights and Tackling UK Poverty: Report of Roundtable Meeting, 17 January 2008

In January 2008 BIHR held a roundtable meeting in partnership with Oxfam, Amnesty UK and the Joseph Rowntree Foundation to explore the relevance and potential of human rights for poverty eradication in the UK, and identify areas and opportunities for further dialogue and collaboration. A range of individuals and civil society organisations working in the fields of human rights and poverty attended the roundtable with a view to exploring and sharing each other's perspectives. It was recognised by the group that the human rights and anti-poverty agendas have strong links. Opportunities and challenges in strengthening these links were discussed and next steps for action identified.

The report from the meeting can be downloaded from [www.bihar.org.uk](http://www.bihar.org.uk).

### The Human Rights Act – Changing Lives (Second Edition)

The first edition of Changing Lives was produced in April 2007 in response to the negative tone of recent debates about human rights in the UK. It has been hugely successful and is widely referenced both in the UK and overseas. Phil Lynch, Director and Principal Solicitor of the Human Rights Law Resource Centre in Australia said of the report "Changing Lives is an authoritative report on the role of human rights in promoting dignity and addressing disadvantage. It is a major contribution to the National Charter of Rights debate in Australia".

A second edition containing new case studies will be produced by BIHR in November. This collection of case studies will demonstrate how the Human Rights Act is being used beyond the courtroom to make a difference to people's everyday lives in the UK. It will reveal how the HRA is being used in practical ways to improve the quality of public services, precisely as Parliament envisaged when it passed the HRA in 1998.



## Comment

### Equality rights with teeth?

The Government plans to legislate for a single equality duty over the next year. This will integrate the three existing anti-discrimination duties on race, gender, and disability and also impose public duties in relation to age, sexual orientation, and religion and belief. By encompassing all these duties, the new equality bill will promote fairness for a much wider range of groups.

Here **Saadia Khan of Bindmans Solicitors** explains how the existing duties currently work, protecting people in their everyday lives.

The statutory requirements to pay 'due regard' to the risks of unlawful discrimination and promote equality of opportunity impose obligations on public authorities to take into account disadvantage and the fact that it can be perpetuated by clumsy or ill-informed decision-making.

The spurs for inserting this positive obligation of 'due regard' into existing anti-discrimination laws were the recommendations of the McPherson Inquiry in 1999 into the racist murder of Stephen Lawrence and the subsequent ineffectual police investigation. Lord McPherson stated: "It is incumbent upon every institution to examine their policies and the outcome of their policies and practices to guard against disadvantaging any section of our communities".

There have been a number of pivotal cases since in which the courts have clarified what this obligation means in practice.

In *R (Eisai) v NICE* (2007), the High Court ruled that before NICE published their guidance on the rationing of Alzheimer's inhibitor drugs by means of a language test, they should have asked

themselves 'a set of simple questions' about how atypical groups - such as those with learning disabilities or poor English - could be affected. It was insufficient to expect doctors to use common sense to make allowances for these groups.

The normal means of discharging a 'due regard' duty would be by means of a structured 'impact assessment', as was confirmed in *R (Kaur) v LB Ealing* (2008). The council under challenge conceded partway through the trial that it had failed to take this step.

Perhaps the most important recent development was *R(C) v Secretary of State for the Home Department*, a challenge to new rules about the use of physical restraint for disciplinary purposes in secure training centres. No adequate impact assessment had been carried out when the rules were made. The Court of Appeal said that producing one after the event was just not good enough. Due regard was necessary at a formative stage of decision making and a policy or decision made without it would normally be quashed. Effectively the clock would be turned back to the start of the policy-making process.

Though legal challenges of this kind will continue – not least because the scope of the equality bill will need to be tested – the ultimate purpose of the 'due regard' duties is to minimise the need for legal action of this kind and promote a fairer society for all.

### Key points for decision makers:

- Familiarise yourself with the relevant Code of Practice and Guidance (available from the EHRC).
- When making any significant decision, consider the possible equality implications – if there are any, one or more of the duties will be triggered.
- Consult those whom may be affected on the likely impact of any decision.

- Keep an open mind – often the worst decisions are not deliberate, but made in ignorance of their real consequences.
- Document the process of assessing impact and the reasons why the final decision will have no or minimal impact.

### Key points for service users:

- If you feel disadvantaged by a public authority's decision, consider whether any of the equality duties are triggered i.e. does the decision impact disproportionately on you because of your race, gender or disability?
- If so, it is likely that one or more of the equality duties have been triggered. Check the public body's equality scheme to see whether it accepts this. Ask the decision maker whether there has been any equality impact assessment of the consequences of decisions of this kind. In these circumstances you should seek advice from:
  - The Equality and Human Rights Commission (Helpline: 0845 604 6610);
  - Your local Citizens Advice Bureau ([visit www.citizensadvice.org.uk](http://www.citizensadvice.org.uk))
  - A solicitor specialising in discrimination law, details of which can be obtained from the Discrimination Law Association (Tel: 0845 478 6375, email: [info@discriminationlaw.org.uk](mailto:info@discriminationlaw.org.uk))

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# Membership Events and Staff News

## Staff changes

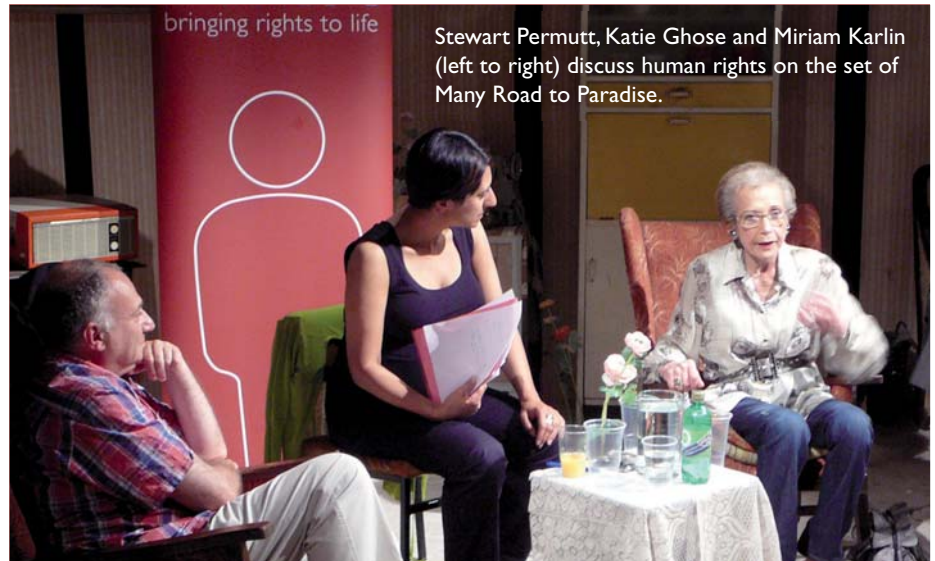
Our Director Katie Ghose is on Maternity leave until 2009, and in her absence Ceri Goddard, Head of Practice and Development, will be Acting Director. In April we welcomed two new staff members, Jean Candler, Head of Policy and Public Affairs and Emily Thomas, Communications and Events Officer.

Sonya Sceats, our Policy Officer from 2006 has taken up a new position with the Medical Foundation for the Care of Victims of Torture. During her time with us Sonya made a tremendous contribution to both our policy and wider work and the staff and board would like to extend enormous gratitude to her. As we go to print we also welcome two new members of the team – Sonia Omar, Third Sector Development Officer, and Sanchita Hosali, Policy Officer.

For a full list of staff contacts please see our website, [www.bihar.org.uk](http://www.bihar.org.uk).

## Thank you

BIHR would like to thank all our volunteers and interns, especially Mike Threlfall who built and designed our new website, Humaa Akram, Gary Anello, Kat Clavell-Bate, Edd Capewell, Judith Cravitz, Caroline Daniels, Kerenza Davis, Nav Karbani, Rebecca Khattak, Iqinder Malhi, Mary Scott, and Michael Sherman.



Stewart Permutt, Katie Ghose and Miriam Karlin (left to right) discuss human rights on the set of *Many Roads to Paradise*.

## Membership news

### Review: BIHR hosts performance of *Many Roads to Paradise* at Finsborough Theatre.

On Wednesday 2 July, many friends of BIHR turned out for a special performance and post-show discussion of the new play, *Many Roads to Paradise*, at the Finsborough Theatre in London.

Legendary actress **Miriam Karlin OBE** and playwright **Stewart Permutt** joined Katie Ghose, Director of BIHR, for a post-show performance to discuss the human rights issues raised in this scathingly funny new comedy.

The play explores the life struggles of people from diverse backgrounds and ages, firmly underlining the idea that there is a rich diversity in life that should be celebrated not disparaged.

## Events Calendar

### Lunchtime Lectures, November 2008

BIHR presents two lunchtime lectures in Association with the British Library.

4 November 2008, Professor Conor Gearty, Director of the Centre for the Study of Human Rights at LSE, on *Freedom in Brown's Britain; a Historical Perspective*.

24 November 2008, Nick Herbert MP, Shadow Secretary of State for Justice, on *Human Rights in Britain Today*.

The Lunchtime Lectures are generously sponsored by Irwin Mitchell and One Crown Office Row.

### 2 December 2008 – BIHR Annual Reception with Cherie Booth QC

BIHR is delighted to announce that our patron, **Cherie Booth**, will speak at this year's annual reception which has been kindly sponsored by Clifford Chance. This year we will be celebrating both the 10<sup>th</sup> Anniversary of the Human Rights Act and the 60<sup>th</sup> Anniversary of the Universal Declaration of Human Rights. BIHR has been working with young people to raise awareness about these significant anniversaries and we will hear from some of them about the importance

of human rights. The BIHR annual reception provides a wonderful opportunity for supporters of BIHR to meet and network with other supporters and advocates of human rights. This is an invitation-only event for Friends of BIHR. Find out how to become a Friend on page 12.

### 12 January 2009 - What do you see? A gala evening to open hearts and minds and highlight the importance of human rights and dignity for older people

Amanda Waring, BIHR and the Women's Awareness Programme proudly present a unique awareness raising event at the BAFTA Cinema, London.

It will be an inspirational evening of film, debate, readings and performance to celebrate older people and raise awareness about the importance of human rights and dignity for them.

Celebrity performers will include **Virginia McKenna**, **Richard Briers**, **June Whitfield** and **Corin Redgrave**. **Baroness Julia Neuberger DBE** will read from her book *Not Dead Yet*.

Amanda Waring, daughter of actress Dame Dorothy Tutin, will also present her award-

winning short film *What do you see?*, made in memory of her mother. This powerfully emotive film has been shown around the world to promote a kinder, more compassionate future for older people. Amanda is one of the UK Government's celebrity dignity champions and is a passionate campaigner for older people's rights.

The evening will run from 6.30 - 8.30pm at BAFTA, 195 Piccadilly, London. Tickets are priced at £45. Ticket price includes a glass of wine and a copy of Amanda Waring's film *What do you see?* Cheques payable to 'Dignity and Humanity' and may be sent to Amanda Norton c/o Awareness Programme, to 8 Ferncroft Avenue, London NW3 7PH.

### 28 January 2009 - Changing the Face of Human Rights, BIHR's Annual Conference 2009

You can find further details about the conference on page 3 and at [www.bihar.org/conferences](http://www.bihar.org/conferences).

### Get involved

There are a number of ways in which you can support BIHR's work and help us achieve a society where all human beings are equally valued, can participate fully, and are treated with fairness, dignity and respect:

- Come to an event and show your support for human rights
- Tell your friends about BIHR. Send them a link to the BIHR website or pass on this newsletter once you have read it
- Raise money for BIHR by using Everyclick as your search engine at no cost to yourself. Visit <http://www.everyclick.com/bihr> for details
- Become a friend of BIHR or make a donation (see below).

### Become a friend of BIHR

Please support BIHR by joining up as a Friend for just £25 a year. As a Friend of BIHR you will receive various benefits, including:

- Updates and advance notice of all our lectures, conferences and other events
- A twice yearly newsletter
- Free copies of all BIHR publications including a copy of our Annual Review

Your contribution will help us to keep working to achieve our aim of bringing rights to life for everyone in the UK.

Organisations can become corporate friends of BIHR. For further information on this please visit our website.

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