

news

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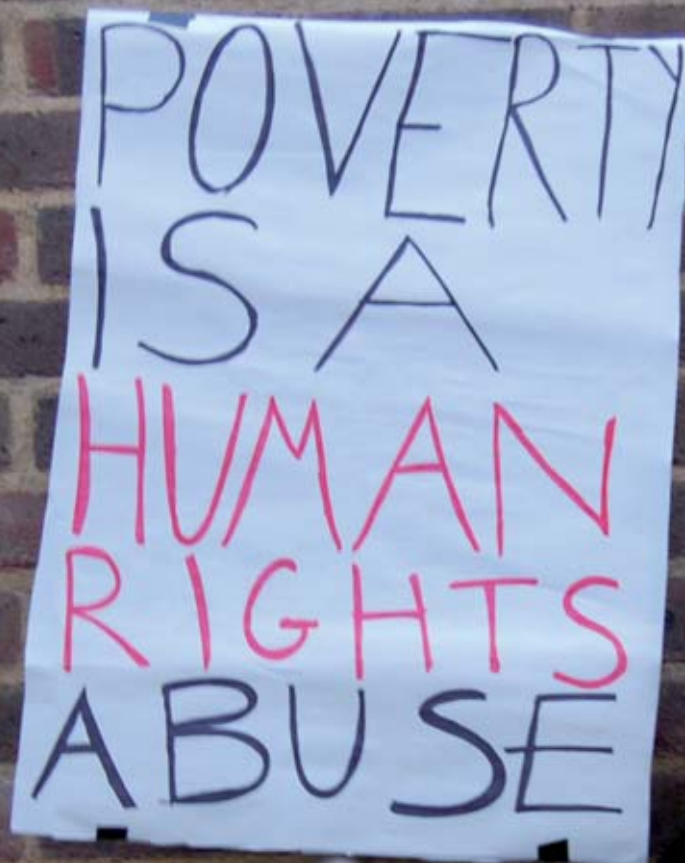
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POVERTY
IS A
HUMAN
RIGHTS
ABUSE

WELCOME

It is with great pleasure that I welcome you to *BIHR News*. This issue we tackle a topic very close to our hearts - how human rights can help address poverty and how anti-poverty work can breathe fresh life into human rights in the UK. Poverty, long understood globally as both cause and symptom of human rights violations, is slowly beginning to be viewed through that lens here. Organisations working on poverty and human rights issues recently came together to discuss how to mobilise around these issues. BIHR intends to take a leading role in coordinating this work, in collaboration with anti-poverty organisations and building on our new project supporting six voluntary organisations to tackle poverty through human rights (pp.9-11). On page 13 Professor Geraldine Van Bueren places our work in its international context.

This issue also highlights our successful programme of support for the public and voluntary sectors. Read about our exciting new training work with the police (p.3), and the development of the first human rights one-stop shop for the third sector (p.5). Our training team are always ready to help, so please contact them if you want to book a course or find out more (p.18).

We rely on the generous support of donors, to whom we send our immense gratitude. Read about how to support our work on page 16.

With best wishes,

Jean Candler
Head of Policy
and Public
Affairs



British Institute of Human Rights
7th Floor, Melbourne House
46 Aldwych, London, WC2B 4LL

Tel: 020 7 848 1818
Fax: 020 7 848 1814
Email: info@bihr.org.uk
Web: www.bihr.org.uk

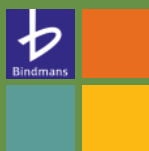
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Editorial and Advertising Emily Thomas
Contact: ethomas@bihr.org.uk

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We want to hear from you! We hope you have enjoyed this issue. Please email Emily Thomas with your comments and suggestions (ethomas@bihr.org.uk).



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Bindmans LLP, 275 Gray's Inn Road, London WC1X 8QB
Telephone: 020 7833 4433 E-mail: humanrights@bindmans.com
Website: www.bindmans.com

PUTTING HUMAN RIGHTS AT THE HEART OF POLICING

BIHR wholly supports any efforts to put human rights at the heart of policing and is delighted to have recently been asked by the Association of Police Authorities (APA) to provide human rights training to police authority members.

Tom Tyler from the APA told us: "We're very pleased to be working with BIHR to develop human rights training for police authorities. Policing is a high profile area with a massive impact on human rights, and police authorities have a crucial role to play in holding chief constables to account for the action of their local police forces." BIHR looks forward to working with the APA over the coming months.

BIHR's approach is backed up by Sir Hugh Orde, the new ACPO chief, who has called for 'human rights to be put at the heart of British policing' (*Guardian*, 21 June 2009). He said, "there is a myth that human rights prevent good policing".

Sir Hugh announced his commitment to putting more emphasis on human rights in policing: "a human rights emphasis will make us shape our services around what people have a right to expect in terms of protection, reassurance and the defence of civil liberties."

HUMAN RIGHTS IN HEALTHCARE PROJECT – IMPROVING SERVICE PROVISION

BIHR is now working on the third phase of the national 'Human Rights in Healthcare' project, alongside the Department of Health, four pilot NHS trusts and project management consultancy firm ROI Operations. The project has been running since October 2006, and aims to support the use of 'human rights based approaches'¹ within a healthcare setting to improve service design and delivery.

Over the next nine months BIHR will be supporting the pilot NHS trusts to apply human rights in a specific ward or service, such as palliative care, residential and day centre services for people with learning disabilities and older people, and respite care. This follows on from previous work with the trusts at a more strategic or procedural level, for example developing human rights strategies, policies and training modules.

The pilot projects will be independently evaluated by Ipsos MORI, and we hope will show that the implementation of a human rights based approach at an operational level leads to measured improvements for NHS staff, service users and their carers. Evaluation by Ipsos MORI of the earlier stages of the project found that a human rights based approach 'goes above and beyond good practice in providing renewed quality of care for service users, and staff are empowered to challenge care decisions'.

BIHR will be running two free learning events in January and June 2010, to share the learning from the project and stimulate further activity on human rights within the health and social care sector. The first event, 'Human Rights in Health and Social Care', will be held on 26 January 2009. To reserve your place and for further information about the 'Human Rights in Healthcare' project, visit www.bih.org.uk/human-rights-in-healthcare-project.



¹ See page 12 for a description of a human rights based approach.



Sally Leigh, London Coordinator for Housing Justice, chose to be photographed on her allotment with a handful of soil. Visit the BIHR exhibition in Spring 2010 to find out why.

WHAT DO RIGHTS LOOK LIKE? PORTRAIT PHOTOGRAPHY SERIES REVEALS THE MANY FACES OF HUMAN RIGHTS

The visual arts have an incredible power to change perceptions and inspire people to act. BIHR is working with portrait photographer Nadia Bettega to show the 'human' face of human rights through an innovative project that allows human rights activists, community groups and vulnerable and disadvantaged people to tell their own stories through compelling images.

Around 60 individuals and groups, including human rights lawyers, public figures, artists, actors, women's groups, travellers and gypsies, black and minority ethnic community groups and homeless people, are working with Nadia to express what human rights means to them.

The portrait series will visually demonstrate that human rights are important for all of us, from those working at the policy and legal level, to those who suffer as a result of not having their rights realised.

An exhibition of the portraits is planned for next year. It will be open to the public and free of charge, so that these stories will reach a wide audience.

BIHR is looking for funding for this exhibition. If you are interested in supporting this initiative please contact Emily Thomas (email: ethomas@bihr.org.uk).

SEMINARS ADDRESS KEY HUMAN RIGHTS POLICY ISSUES

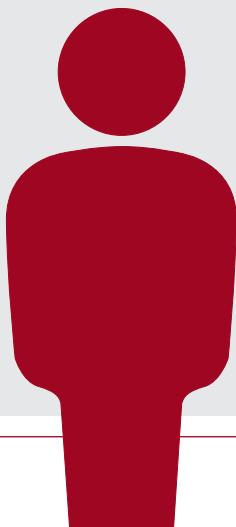
From June to September 2009, BIHR held four high-level seminars which sought to critically discuss some key issues in current human rights policy and to generate fresh insights. The seminars, kindly funded by the Nuffield Foundation, explored: the current debate about a UK Bill of Rights, with a particular focus on the potential to include economic, social and cultural rights in UK law; current thinking, literature and models on measuring human rights; privatisation in the public sector with a focus on exploring the boundaries between human rights law and corporate social responsibility in the UK; the interface between the rights of parents with learning disabilities and child protection.

Participants heard from expert speakers and shared their own expertise and experiences in rigorous roundtable discussions.

A summary report of each seminar will be available shortly and will include key learning points and recommendations identified by participants. The reports will be widely distributed through BIHR's networks and contacts and we will be encouraging participants and others to do the same, stimulating further discussion.

Measuring the progress of human rights realisation

The Equality and Human Rights Commission has commissioned the London School of Economics (LSE) to develop a human rights measurement framework which includes the development of UK-specific indicators for assessing progress towards the full realisation of human rights. BIHR will be working with LSE on this piece of work, which will become an invaluable tool for civil society to hold the government to account and ensure individuals know what their rights mean in practice. If you want to find out more or take part in the consultation process please contact: Tiffany Tsang (email: t.tsang2@lse.ac.uk).



DEVELOPMENT OF FIRST HUMAN RIGHTS ONE-STOP SHOP FOR THE THIRD SECTOR

Human rights can be an extremely powerful tool for campaigning and advocacy. Yet the organisations that represent and support the most vulnerable and marginalised groups in society often lack the skills and knowledge to use them.

Last year, in a BIHR-led initiative funded by the Equality and Human Rights Commission that saw over 150 third sector organisations consulted about their needs relating to human rights, there was a widespread call from across the sector for more general and specialist information.

In direct response to this needs-scoping work, BIHR is now developing an interactive online resource which will provide the first one-stop shop of information on human rights for the third sector in the UK.

We are also creating a toolkit for campaigners which will be available online by March 2010. The toolkit will help organisations to integrate human rights based approaches in their campaigning and advocacy on a wide range of themes, from improving local services for refugees to championing the rights of young people to be included in decision-making processes.

These initiatives are funded by Capacitybuilders, a non-departmental public body. NCVO are leading on the delivery of the National Support Service for campaigning and advocacy in England, of which BIHR is a partner taking the lead on a human rights approach to campaigning.

INTEGRATING HUMAN RIGHTS IN LOCAL GOVERNMENT

BIHR has linked up with IDeA (the Improvement and Development Agency for local government) to integrate human rights in local government. The project, launched on 24 November, will initially pilot human rights projects in five local authorities in England to develop good practice. If your local authority wants to take part or to find out more please contact Ellie Keen (email: ekeen@bihr.org.uk).



Sonia Omar, BIHR's Third Sector Development Officer, discusses challenges for older people with participants at Hackney training session.

OLDER PEOPLE IDENTIFY HUMAN RIGHTS CHALLENGES

The older people and human rights project is gathering momentum. This innovative three year project, run in partnership with Age Concern and Help the Aged, supports older people to use human rights to challenge poor and often undignified treatment from service providers and local authorities.

Between June and November 2009, four groups of older people came together in Hackney, Slough, Derby and Stockport to meet and discuss the challenges they face. The issues they identified touched on many areas of their lives including inadequate health and social care for older gay people, the anti-social behaviour of young people on buses, a reduction in warden numbers in sheltered housing, and the disproportionate number of older people living in poverty.

Over the next six months the four groups will identify their own small advocacy projects which they will then implement using human rights knowledge and methods, with ongoing support. Providing people with the tools that will empower them to change the situations that affect them is an essential part of a human rights based approach.

The participants have already demonstrated great

enthusiasm for learning about human rights, with one observing: "human rights is a comfort, it makes me feel like there are people out there that care about us". They have also noted the benefits of working with others in their age group, who have experienced and witnessed the same changes in society. One participant highlighted the changing status of women in society in the past 50 years, commenting that "younger people don't always understand".

BIHR staff noticed the marked determination of the participants to improve their own lives and the lives of others, with many already active in other projects to improve their local communities.

In addition to the sessions for older people, staff from local Age Concern groups received training to develop their understanding of human rights. This will allow them to effectively support the older people-led advocacy projects and empower them to influence the improvement of services and the way that older people are treated and cared for. This reflects BIHR's multi-pronged approach of stimulating learning at all levels of the voluntary and community sector - and by doing so creating a fertile ground for human rights to flourish.

NEW GUIDE TO THE HUMAN RIGHTS ACT FOR JOURNALISTS

A new guide to reporting the Human Rights Act for journalists has recently been published by the Media Trust. The guide has been written by Sarah Cooke, independent human rights consultant and former BIHR Director, and Carolina Gottardo, Head of Policy at One World Action and a former BIHR Training Manager, amongst others.

Jon Snow, the Channel 4 news presenter, the Media Trust's deputy chairman and BIHR patron welcomed the report saying: "it would be hard to exaggerate the depth of the media's ignorance over just about everything to do with the [Human Rights] Act." This issue was highlighted by the distinguished media panel at BIHR's annual conference in January who noted the need for more balanced coverage in the national press.

The guide can be downloaded from www.mediatrust.org/reporting. The report from BIHR's annual conference can be downloaded from: www.bihhr.org.uk.

CHILD POVERTY BILL

The Child Poverty Bill was introduced to the House of Commons on 11 June 2009 and is currently being debated in Parliament. If passed, the Bill would put into law the commitment made by the Government in 1999 to eradicate child poverty by 2020.

This would be the first time that the law would place a duty on the Government to meet specific statistical targets aimed at eradicating child poverty and to monitor progress on meeting these targets. It would provide opportunities for judicial challenge to government interventions and strategies through judicial review, with the possibility of mandatory orders on government to take action to meet the targets it has set.

Whilst the Child Poverty Bill does not expressly refer to human rights, it does have a direct impact on children's right to an adequate standard of living as stated in Article 27 of the UN Convention on the Rights of the Child and Article 11 of the International Covenant on Economic, Social and Cultural Rights.

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REPORTS SHED NEW LIGHT ON POVERTY AND HUMAN RIGHTS

Following a seminar co-hosted by BIHR in January 2008, the Joseph Rowntree Foundation (JRF) commissioned research into how to strengthen the integration of human rights and anti-poverty work in the UK. Published in September, the report explored how human rights have been used to frame poverty and approaches to tackling it, in both developed and developing countries. It concluded that there is potential to replicate and develop this work in the UK, but that the evidence base needs to be built further.

The report sets out the next steps that are needed to strengthen human rights and anti-poverty work in the UK. These include using human rights to 'transform debate about poverty' and using the experience of poverty 'to transform the public debate about human rights – challenging perceptions that human rights are limited to civil and political rights'².

This report forms part of JRF's programme on public interest in poverty and is available from: www.jrf.org.uk/sites/files/jrf/poverty-human-rights-full.pdf

Also forming part of the JRF programme, a report exploring the values and beliefs that lie behind public attitudes towards economic inequality and welfare policy was published in June, jointly with the Fabian Society.

The survey found that attitudes of participants towards those on low incomes were often more negative than attitudes towards the 'rich'. Driving these attitudes were widespread beliefs that there are adequate opportunities to earn a reasonable income and that benefit recipients will not contribute back to society. Despite these beliefs, most participants strongly supported progressive tax and benefit systems, and when considering evidence about unequal life chances, were supportive of targeted interventions to improve life chances for disadvantaged people.

This report is available from: www.jrf.org.uk/publications/attitudes-economic-inequality.

² Donald, A., & Mottershaw, E. 2009. *Poverty, Inequality and Human Rights*, JRF, p.7.

EHRC INQUIRY REPORT SHOWS VALUE OF THE HUMAN RIGHTS ACT AND THE NEED FOR POLITICAL LEADERSHIP

The Equality and Human Rights Commission's (EHRC) Human Rights Inquiry Report, has revealed how people are quietly using the language of the Human Rights Act to demand basic decencies, and only rarely pursuing their rights in the courtroom.

The report, launched on 28 April 2008, drew on the opinions of 2,000 people and has been instrumental in assessing the impact of the current human rights culture in Britain. It clearly demonstrates the need for political leadership on human rights, and following the launch BIHR issued a statement calling for all parties to throw their weight behind the Human Rights Act.

BIHR Director Katie Ghose discussed the report and its findings with other human rights experts at a panel discussion organised by the EHRC at the 12th session of the United Nations Human Rights Council in September. Speaking about the event Katie reflected, "the session was a great opportunity for BIHR to speak about its vision for a new human rights movement in the UK which is relevant to people 'at home' and linked with a wider global movement. BIHR wants to see the EHRC and other leaders take action on human rights - taking pockets of good practice and scaling them up. Above all, we want to see the EHRC explicitly speak out about the value and relevance of human rights for people in everyday life".

This event has paved the way for collaborative discussions between the EHRC, the Human Rights Council, the International Criminal Court and other organisations such as BIHR about how obstacles hindering the process of human rights becoming fully integrated throughout the UK can be overcome.

Katie Ghose (second from left) at EHRC panel discussion





Participants at a poverty project training session

BY ROISIN CAVANAGH, POVERTY AND HUMAN RIGHTS OFFICER

Poverty doesn't only exist in developing countries - over 13 million people in the UK live in poverty. That's more than one in five of us³.

Whilst the gap between the rich and the poor which increased so dramatically in the 80s and 90s⁴, shows little sign of closing – discrimination against poor communities remains an 'unacknowledged part of life in the UK' and this is clearly reflected in the government's resistance to propose policies around wealth redistribution⁵.

As the recession tightens its grip - with rising unemployment and increasing threats to public spending - we need to recognise that in this period it is those with the least who will suffer the most.

Material deprivation is compounded by disempowerment. The UK's anti-poverty sector widely

acknowledges that the experience of poverty - in addition to a lack of economic and social provision such as housing and a minimum income - leaves people voiceless and powerless, unable to influence the people and institutions that make the decisions that directly affect their lives⁶.

However, when those experiencing poverty see themselves as 'rights holders' and begin to reframe their issues in human rights terms, they can hold to account those who are in power and responsible for protecting, promoting, respecting and fulfilling their human rights.

That poverty is a cause and product of human rights violations is commonly accepted in developing countries and amongst UN bodies⁷, and increasingly accepted amongst some actors in developed nations such as the US⁸. Yet in the UK human rights standards and legislation are rarely cited as a means to hold the government and public service providers to account for their lack of provision, poor standards or discriminatory treatment towards individuals or communities experiencing poverty. Similarly, human

POVERTY: A HUMAN RIGHTS ISSUE

rights are rarely used by the voluntary and community sector as a means of securing the participation of marginalised groups in debates around public policy or practice.

Set against this backdrop, BIHR is one of only a few organisations based in the UK to take a human rights based approach to addressing poverty and social justice. Our new poverty project, outlined opposite, is piloting how human rights can support anti-poverty initiatives in the UK.

Recently published research by the Joseph Rowntree Foundation (JRF) and Global Partners, examining how human rights have been used to tackle poverty in other countries (see p.8) is also helping to stimulate a discussion amongst anti-poverty organisations on the reframing of poverty as a human rights issue in the UK.

This research was the result of recommendations from a roundtable event co-hosted by BIHR, JRF, Oxfam and Amnesty on this topic in 2007.⁹

The growing demand for a unified approach to poverty and human rights is helping BIHR to bring other organisations into the broader policy debates around human rights and their relationship with poverty and other issues. This includes our ongoing work to protect the Human Rights Act - current calls for a UK Bill of Rights and Responsibilities from both main political parties have potentially serious implications for the protection of all of our basic human rights (see *BIHR News*, Summer 2009 for more information). Poverty goes straight to the heart of this debate as it is the poorest and most marginalised who will lose the most when human rights protections are weakened.

Participants at a poverty project training session



POVERTY: A HUMAN RIGHTS ISSUE

The BIHR Poverty and Human Rights Project

BIHR's poverty and human rights project is a pioneering programme of work that aims to address the lack of knowledge and understanding around human rights within UK civil society working on poverty, and to explore how a human rights based approach could usefully tackle these issues.

BIHR is directly working with six London-based voluntary and community sector organisations who work with and for people facing poverty or social injustice. For these groups - and the many others who fall through the gaps of other protection initiatives and legislation - human rights provide an essential safety net - but one that remains largely under-used in wider civil society.

Support provided by BIHR will enable these groups to

use a human rights based approach to strengthen their voice and influence with policy makers. The capacity-building will support the participants to:

- Understand human rights standards and legislation (international, regional and domestic) and how they relate to the particular issues faced by the communities they work with;
- Reframe the issues they are working on as rights issues;
- Identify who is responsible for promoting, respecting, protecting and fulfilling these rights;
- Develop an influencing plan aimed at a particular public service provider using relevant human rights standards and legislation;
- Develop human rights benchmarks and indicators to measure progress towards the desired aims and social impact;

Each group has already identified an immense range of complex issues that are faced by those they work with on a daily basis. The groups will prioritise one issue to work on as part of the project.

Using our work with these six organisations as evidence, BIHR will develop a model for organisations working on poverty and related issues around the UK, including useful information and tools.

We will also continue to build consensus amongst the human rights and anti-poverty sector to promote more collaborative working and innovative ways of testing and exploring a human rights based approach to tackling UK poverty. ■



Where human rights could help

Examples of priority issues identified by the six organisations and people experiencing poverty who are working with BIHR on the Poverty and Human Rights project.

- A local authority waking homeless people in the middle of the night, conducting welfare checks and hosing down the area where they are sleeping to prevent them from staying there (**organisation: Housing Justice**)
- Discrimination in provision of health and housing /accommodation services to the Irish Traveller community (**organisation: Irish Traveller Movement in Britain**)
- Refusal of primary healthcare to failed asylum seekers (**London Refugee Voice**)
- 'Human rights proofing' of organisational policies and procedures for services Pecan provides to a range of client groups (**organisation: Pecan**)
- Social services refusing to support undocumented migrant families, threatening to take their children into care due to the family having no recourse to public funds (**organisation: Praxis**)
- Lack of joined up services resulting in high numbers of women becoming homeless on release from prison (**organisation: Women In Prison**).

POVERTY: A HUMAN RIGHTS ISSUE

A human rights based approach to poverty – from needs to rights

A human rights based approach (HRBA) is, in essence, the process by which human rights are made real in people's everyday lives. A HRBA is based on two key premises – firstly that all people have human rights (we are all rights holders), and secondly that for each right there is a corresponding duty on states to respect, protect and fulfil these rights. In this way human rights govern the relationship between those with greater and lesser power both in the every day and in our wider democracy.

As pioneered in the development context by non-governmental organisations and the United Nations, a human rights based approach has a number of key features:

1. Express application of human rights principles and legal standards;
2. Universality - human rights belong to everyone;
3. Clear accountability (who is responsible for protecting & promoting these rights);
4. Empowerment of rights holders;
5. Participation (by those concerned in decisions that affect them);
6. Non-discrimination and prioritisation of vulnerable groups;

For the public sector

A HRBA can support the development of services and policies where fairness, respect, equality, dignity and autonomy are at the core. It can provide a clear set of standards for all, across organisations and sectors, and a framework for making complex and difficult decisions,

especially those that have resource implications. It can enthuse and motivate staff to ensure standards are maintained even when faced with extreme target-driven environments¹⁰. This helps to ensure that access to public services and standards within them are not compromised by the judgemental attitudes and actions, or sometimes discretionary or arbitrary power, of some public sector staff towards poor people¹¹.

For the voluntary and community sector

For the voluntary and community sector (VCS), taking a HRBA can mean a change from talking about the needs of people/communities they support or represent to talking about their rights. Reframing poverty issues as rights issues can help the voluntary and community sector and those experiencing poverty to hold public services and the government to account for a) lack of provision of essential services b) low standards in services c) discrimination or other poor treatment when accessing public services.

It also has implications for the way VCS organisations support and represent marginalised groups. Adopting a HRBA to VCS service delivery can challenge gate-keeping practices and the traditional charity model of 'doing unto' marginalised groups. Instead it promotes the active and informed participation of those affected by the issues in realising the solutions.

For people or communities experiencing poverty

The shift (from needs to rights) can be a light bulb moment for people and communities experiencing poverty. Knowing that you are entitled to a service (such as housing) or fair treatment rather than having to 'grovel for assistance'¹² has massive implications for how poor people feel about themselves, their situation and experiences, and their power to advocate change.

This two year project has been funded by City Parochial Foundation, the Joseph Rowntree Foundation, the Equality and Human Rights Commission and Oxfam.

³ Oxfam UK, 2004, Making UK Poverty History

⁴ Ibid

⁵ Killeen, D., 2008. Is Poverty in the UK a Denial of People's Human Rights?, paper published by the Joseph Rowntree Foundation

⁶ Robinson, M. 2000. Statement at the Special Dialogue on Poverty and the Enjoyment of Human Rights, Commission on Human Rights, 56th Session.

⁷ OHCHR, Human Rights Day Pledge, 10 December 2006

⁸ Donald, A. & Mottershaw, E. 2009, Poverty, inequality and human rights, paper published by the Joseph Rowntree Foundation

⁹ Full report can be found at www.bihar.org.uk/projects/poverty.

¹⁰ Walsh, J., 2006. Rights as Relationships, ICCL/UCD

¹¹ Killeen, D., 2008. Is Poverty in the UK a Denial of People's Human Rights?, paper published by the Joseph Rowntree Foundation

¹² Walsh, J., 2006. Rights as Relationships, ICCL/UCD

Representatives from the six organisations involved in BIHR's poverty and human rights project tell us about the problems faced by their communities or people they work with and how they hope the BIHR project will help.



HOUSING JUSTICE

Interviewee: Bill Bell, formerly homeless and now working with Housing Justice

"There's no community for the homeless" Bill told us, "you are always being moved on by everyone."

Bill describes the problems faced by the "normal non-abusive homeless person on the street - quite a well washed person who's just trying to go about his life and being shunned from pillar to post".

He describes how homeless people have nowhere to congregate, no aftercare after being in hospital, nowhere to go for a cup of tea and a biscuit without questions being asked. The places that do let them congregate are often run by local councils and require people to give their name – which creates problems. Bill says, "There are people beneath the radar who don't want to give their name – a lot of people don't want to be found – they don't want to be seen." Without adequate support from the government homeless people are simply "not given a chance".

Human rights do not feature in this world. In his experience homeless people often have little if any knowledge about human rights and so they are rarely used.

Yet having a home is a fundamental part of our human dignity. If homeless people know about their rights, they can use them to challenge their treatment and improve their circumstances.

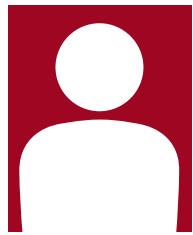
Bill says that one of the most important outcomes of BIHR's poverty project will be "to make people more aware of the fact that they do have rights on the street and that we can use them to help –to stop these bullying tactics –stop this bullying by Mr Government and Mr Big and Mr Shop Owner and every other bully. With Housing Justice maybe we can all look forward to moving forward on this."

Housing Justice is the national voice of Christian action in the field of housing and homelessness. Housing Justice supports night shelters, drop-ins, soup run forums, and hundreds of other practical projects nationwide by providing advice and training for churches and other community groups who work with homeless people and asylum seekers.

IRISH TRAVELLER MOVEMENT IN BRITAIN

Interviewee: Mrs Ward, Irish Traveller

Mrs Ward, an Irish Traveller, witnesses unfairness and discrimination on a daily basis.



She describes a woman she has been supporting who is desperate to move out of rented bricks and mortar accommodation and onto a nearby Traveller site. While there are sites, a few with empty spaces, those running them often do not want Irish Travellers moving on, in this case preferring Gypsy families instead. Simply being an Irish Traveller causes a certain amount of discrimination.

Mrs Ward thinks that human rights could have a powerful role to play when tackling discrimination and the other issues that Irish Travellers face, and tells us that she has already found the BIHR project "very, very helpful". She says, "just knowing there's different rights - political rights, social rights, economic rights" has given cause for hope. "We had been to conferences over the years about the travellers and we always pick up tools but this human rights training will give us the next step. Even though it's only with such a small group, I think the outcome will be big."

The power of human rights to give people a voice is particularly relevant for Travellers who are rarely heard. Mrs Ward says that many of the Irish Travellers coming to her do not have any formal qualifications: "half of the travellers can't read or write but that doesn't make them foolish ... they're very intelligent in other ways."

The Irish Travellers Movement in Britain (ITMB) seeks to raise the profile of Irish Travellers in Britain and increase their say in decision making processes and forums. The ITMB seeks to challenge discrimination and develop national policies that ensure the inclusion of Irish Travellers in all levels of society.



PECAN

**Interviewee: Michael Bradford,
Contracts and Quality Manager**

Michael works with a variety of client groups, such as ex-offenders, young people, refugees and asylum seekers

who, because of their backgrounds, find mainstream education very difficult and as a consequence do not get enough support - and leave.

Since the BIHR project began, Michael has noticed that human rights are a "great resource" for Pecan's work with asylum seekers and refugees. He says, "we can use human rights with local councils that asylum seekers and refugees have relationships with – where some of these people are getting ignored on purpose."

Michael gives the example of one client - an asylum seeker with a disability who had the right to disability allowance and plenty more. "He had been sleeping in squats and on floors until we acquired human rights expertise and then, that whole situation changed: someone backed him up and he knows his rights now. He is a much happier individual, he is enrolled in college and is no longer sleeping on a restaurant floor – all of this was achieved in only a couple of weeks. With asylum seekers and refugees there is a large system in place that is very time consuming. Hopefully human rights knowledge will subtly help to prod people and get them to hurry up with the people that they encounter".

Through the BIHR poverty project Michael hopes to learn more about advocacy: "to fight that battle for our clients but also to empower them to do the same". He wants to "empower clients with a little bit of knowledge of what the council has to do for them, using human rights language". Rather than relying on human rights experts, Pecan will "have the knowledge within the organisation to be able to help people and show them their rights."

Michael notes the importance of a culture change within the organisation where people are seen as having rights rather than needs, and says that "this might affect the way we look at the people that we work with and give them a level playing field –language can be quite important".

Pecan helps transform the lives of disadvantaged people through various training and motivational projects in local communities. It focuses on helping unemployed people get and hold satisfying jobs.



LONDON REFUGEE VOICE

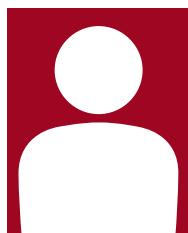
**Interviewee: Runa Begum,
Coordinator**

When refugees arrive in the UK, the system is likely to be unknown to them and the level of English language spoken can act as a barrier. "Whilst English is a prerequisite to getting citizenship", Runa says, "the supply of ESOL (English for Speakers of Other Languages) classes does not meet the demand for refugees to gain these qualifications."

Runa describes how refugees set up groups to support one another which are fundamental to the refugee integration process, providing not only essential advice and services, but also engendering a sense of belonging and space for people to rebuild community life and provide a safety net. Whilst these refugee community organisations (RCOs) provide invaluable services, they face severe organisational challenges and limited funding. This is due in part to the lack of organisational capacity and understanding of the UK voluntary systems and structures which are then compounded by language difficulties affecting the quality of written bids. Funders are often unlikely to take into account the levels of difficulties faced by RCOs when assessing bids.

Runa believes that refugees and asylum-seekers often get a raw deal, but that human rights could add real weight to efforts to challenge their treatment. She says, "asylum seekers come to the UK seeking humanitarian protection and sanctuary. However, they experience a wide range of emotional and psychological distress before, throughout and after the asylum process which makes it extremely difficult for them to claim their rights even if they are aware of them."

London Refugee Voice serves Refugee Communities in London by strengthening the ability of Refugee Community Organisations (RCO's) to advocate and lobby on refugee issues and to enhance their capacity for collective action and voice.



WOMEN IN PRISON

**Interviewee: Kat, Dearsley, former
prisoner**

When Kat was in prison she tried to keep in contact with her children as much as possible. "It is quite difficult", she says, "because the weekly visits you're allowed are

open visits so if you're in a room with however many people, you don't get to personally interact with your kids that much".

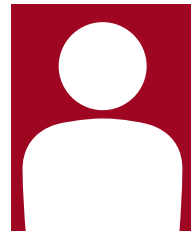
Mothers continue to face problems when they leave prison. Kat sees herself as one of the lucky ones because she got into Women in Prison's Reunite project. This meant she had housing to go to which allowed her to be reunited with her children fairly quickly. Without such help she says, "you find yourself in a tricky situation because you can't get housing without your children but equally you can't get your children back unless you have housing."

Kat says that loss of dignity is another huge issue for women "even after you've served your sentence and you've finished probation". As soon as the criminal justice system is mentioned "there is a stigma attached and the dignity is stripped away from you". Kat wanted to be a secondary school teacher but says "I cannot face the thought of my dignity being stripped away every single time I go for an interview" by the CRB checks that would be involved. She says, "I'm losing out but society's also losing out because I have something I could give".

Kat notes that "if women know their rights more, it'll give them the confidence to stand up to the injustices that they come across. If you don't know that you have these rights, which I didn't before I started the project, you feel like you're just battling against a brick wall". Human rights, she says, will give women "more confidence to fight a bit harder".

Kat hopes that through being part of the project she will "gain confidence personally". She now trains women offenders in IT, women that have had substance abuse issues, been through domestic violence and been through the criminal justice system and says that she hopes to raise their awareness about human rights too: "I train them to move into the workplace and so it's important for them to know what their rights are as well."

Women in Prison supports and campaigns for women offenders and ex-offenders. In dealing with the root causes of women's offending, and empowering women to campaign for changes to the criminal justice system based upon their experiences, it aims to limit, and where possible prevent the damage and disruption done to women as a result of their contact with the criminal justice system.



PRAXIS

Interviewee: Tatiana Tomayeva, Policy Worker

For Tatiana, the most important issue facing undocumented migrants relates to their legal status in the UK.

Undocumented migrants have no recourse to public funds and no employment opportunities. This means, Tatiana says, "that they're basically stuck in limbo".

She adds that the precarious situation of these migrants means that other problems they may face, such as domestic violence, become very hard to address.

Tatiana describes a common situation, showing how easily people can fall into illegality: "a woman who came with her husband as a spouse and then became a victim of domestic violence. She's not eligible for any kind of support and social services say that a duty of care is owed to her child but not to her. She runs away but with the threat looming of her child being taken from her, she either turns to her husband or stays homeless. The actions of social services place her in a desperate situation."

Tatiana thinks that human rights could make a real difference in such situations. She notes that if they were built into social services' policies the outcomes could be different. She stresses the importance of educating service providers about the human rights of migrants "so that they employ a rights-based approach to them".

Tatiana hopes that the BIHR project will help Praxis to "develop awareness-raising campaigns for users and service providers to help them look at the implications of what they're doing". She says they want "to develop an integrated approach when dealing with the social services and other service providers so that we make them aware of human rights".

Praxis is an organisation whose mission is "to be with displaced communities, listening and acting through our common humanity to create and nurture reconciliation, human rights and social justice." Praxis works with refugees, asylum seekers and other vulnerable migrants, helping them on their journey from newly arrived migrants to settlement in the UK. ■

Interviews by Tony Daly and Vibha Sharma



Geraldine Van Bueren, a barrister at Doughty Street Chambers, is Professor of International Human Rights Law, Queen Mary, University of London and Visiting Fellow, Kellogg College, Oxford. She is also a member of BIHR's Advisory Board.

FALLING BEHIND – THE UNITED KINGDOM AND HUMAN RIGHTS FOR THE POOR*

BY PROFESSOR GERALDINE VAN BUEREN

As the wealth gap has widened and social mobility has been frozen, there is an urgent need for the United Kingdom to follow the tried and tested path of incorporating socio-economic rights into British law. This would mean that those whose health rights, for example, have been violated would be able to challenge the decision under a clear right to the highest attainable standard of health rather than indirectly and less effectively through judicial review or having to rely upon the changing winds of political discretion.

The United Nations now recognises that poverty is both a symptom of the violation of human rights and also the cause - because it is a violation of the right to dignity. In the twenty first century overcoming relative poverty is no longer a charitable gesture, but an obligation of international human rights law.

The United Kingdom is legally bound by a global treaty, the International Covenant on Economic, Social and Cultural Rights 1966, which obliges the government to intervene both to prevent people falling into poverty and where they are already living in poverty, to provide social and economic safety nets. This duty extends to short-term, medium-term and long-term protection of the human rights of the poor.

In legal terms, before the United Kingdom became party to this treaty it had to ensure that there were sufficient resources to implement progressively anti-poverty policies and laws. Hence the political decisions on how resources are to be expended have already been taken. The legal responsibility is now to ensure that this has been done according to the maximum available resources - and progressively.

Yet the greatest obstacle to the full implementation of anti-poverty human rights, sometimes called socio-economic rights, is not always the lack of resources; the great enemy is often the passive acceptance of a feeling of hopelessness and inevitability; a viewpoint reflected in extremis in a 1933 opinion of the House of Lords, when it observed that 'poverty is a misfortune for which the law cannot take any responsibility'. Although law has moved on from such an extreme view, there is still much reluctance by some to countenance a legal duty to the poor.

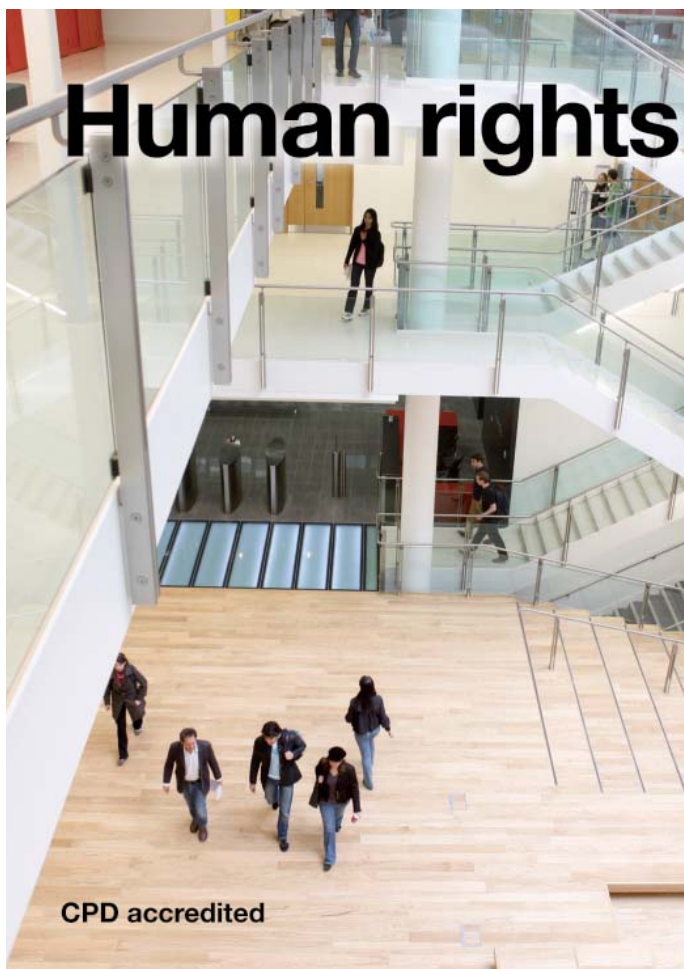
Such a rejectionist approach clings to three myths. Firstly, that poverty is an inescapable social tragedy; secondly, and consequentially, that the courts are helpless to remedy poverty in any strategic way; and finally, that the strategic alleviation of poverty lies beyond the courts and belongs exclusively in the political arena.

The UK is falling behind other states in its human rights protection for the poor. An increasing number of democratic states are doing more, including the growing economic powers of Brazil and India. Countries from Argentina to South Africa have recognised that socio-economic rights, such as the right health, to adequate housing and to an adequate standard of living, help underpin democracy.

Socio-economic rights-based approaches focus on identifying the strategic obstacles that obstruct people's ability to access opportunity and improve their own lives for themselves. Socio-economic litigation creates a public forum for the voices of the marginalised and most vulnerable to challenge, and for this justification to be held in public in a courtroom. This public justification allows judges to enhance and enrich the democratic process rather than undermine democracy. ■

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- Our training style is interactive and participative - we work hard to create a supportive and inclusive environment, and each session is made up of a combination of discussion, presentation, group and individual exercises and case studies.
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- In addition to training we provide a range of consultancy services to support organisations to embed human rights across their work. Our work in this area includes supporting organisations to develop and design policies and strategies, events, train the trainer modules, information resources and tools.

We provide in-house human rights training to organisations, as well as a range of open training courses and events throughout the year. For more details please visit our website at www.bihr.org.uk/training-and-consultancy or contact our Training and Consultancy Assistant Celine Rotcajg on 020 7848 1816 or training@bihr.org.uk. ■

UPCOMING TRAINING COURSE: HUMAN RIGHTS AND EQUALITIES

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Date: 26 February 2010

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STAFF CHANGES

Ceri Goddard, Head of Practice and Development, left BIHR in September to take over as Director of the Fawcett Society. Ceri made a huge contribution to BIHR over the past four years, building our consultancy and training services, leading the development of our pioneering human rights projects in healthcare and poverty, and as our Acting Director during the Director's recent maternity leave. BIHR wishes her all the best in her new and exciting role.

We are delighted to welcome three new staff: Ellie Keen, Training and Consultancy Officer; Celine Rotcajg, Training and Consultancy Assistant; and Geraldine Creaven, Office Coordinator (maternity cover).

THANK YOU

BIHR would like to thank all of our funders, donors and sponsors, including King's College London who provide us with office space and associated services.

Thanks also to our volunteers and interns for all their valuable work over the past six months: Gary Anello, Edd Capewell, Judith Cravitz, Tony Daly, Pia Dawson, Amanda Keeling, Jena Patel, Mary Scott, Vibha Sharma, Julia Angeli and Mike Threlfall.

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BIHR events and training

BIHR organise bespoke training and run open courses. We also have an exciting series of public events coming up next year including a photography exhibition. Visit www.bihhr.org.uk for further information.

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Have you used the Human Rights Act outside the courtroom?

If you have used the Human Rights Act outside the courtroom to improve public services, we want to hear from you. Contact Sanchita Hosali (email: shosali@bihhr.org.uk).

Sign up for BIHR's monthly e-news

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Visit your MP

The Summer 2009 issue of BIHR News highlighted that the Human Rights Act is under threat, and the need for all of the political parties to commit to protecting it. Write to or visit your MP and ask them what they will do to safeguard the future of the Human Rights Act. Visit www.bihhr.org.uk/support-us/lobby-your-mp.

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