

BIHR's response to the Department for Constitutional Affairs' Human Rights review

Secretary of State for Constitutional Affairs, Lord Falconer, today announced the conclusions of his department's review of the Human Rights Act. He ruled out repeal or amendment of the Act and instead promised better guidance, training for officials and a new ministerial group to make sure that the law was 'properly applied'. He suggested that in specific areas like the police or parole, new legislation might be considered, to ensure that the 'very strong focus' on public protection found in the Human Rights Act was put into practice.

BIHR welcomes the conclusions of the DCA review. Combined with the publication last week of the Home Office review, carried out in parallel, it shows that the Government is committed to the Act and to challenging the myths that have grown up around it. We are pleased to see the Government reasserting the Act's original purpose: to deliver a sea-change in the culture of public service delivery, with services tailored to the needs and wishes of each individual. In BIHR's experience, using human rights in routine decision-making 'on the ground' can make a real difference. Examples include the social worker who used human rights arguments to secure accommodation and a fresh start for a woman fleeing domestic violence. Or the local campaigns group which used human rights arguments to persuade their local council to provide transport to social activities for disabled children.

BIHR is an organization with a positive alternative vision of human rights and their relevance to the everyday lives of people in the UK. We believe that human rights belong to everyone and cannot be traded or given away. Today, South African Constitutional Court judge Justice Albie Sachs will be delivering a lecture in central London for BIHR entitled 'Do wicked people have human rights (Four cases of the South African Constitutional Court)? The lecture is expected to grapple with vital issues that have been at the forefront of recent debates in the UK, including the universal nature of human rights and whether they can ever be forfeited. Baroness Brenda Hale, a judge in the House of Lords, will provide a response to Justice Sachs' speech.

Katie Ghose, Director of the British Institute of Human Rights said:

"BIHR is pleased to see the Government backing rather than scrapping the Human Rights Act. Practical steps like guidance and training will help individuals and organizations working at the frontline to improve the services they offer to those in the greatest need. Public officials must now reclaim human rights as a tool to eliminate some of the worst abuses, suffered by frail older people, disabled people trapped in their own homes and women fleeing domestic violence. With all parties now committed to sticking with the European Convention on Human Rights, we can concentrate on making respect for human rights a routine part of everyone's daily lives."

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Notes to Editors

1. For further information contact Katie Ghose on 020 7848 1815/07980 669343(m); or Anna Edmundson 020 7848 1818 /07974 225586 or go to our website www.bihhr.org
2. The British Institute of Human Rights (BIHR) will today host its annual Paul Sieghart Memorial Lecture, to be delivered this year by Justice Albie Sachs of the Constitutional Court of South Africa. He will be asking 'Do wicked people have human rights?'. The event will also see the launch of a new BIHR network of Legal Friends, open to all who work in the legal profession.
3. Our briefing on the defence of the Human Rights Act is attached.
4. On 15 May 2006 the Prime Minister wrote to Lord Falconer, setting out a number of challenges. These included devising a strategy, 'working with the judiciary, which maintains the effectiveness of the Human Rights Act, and improves the public's confidence in the legislation.' On the same day Tony Blair also asked the Home Secretary John Reid to 'look again at whether primary legislation is needed to address the issue of Court rulings which overrule the Government in a way that is inconsistent with other EU countries interpretation on human rights'. The Home Office review was published last week. The Home Secretary John Reid promised to combat the 'urban myths' surrounding human rights, by providing a range of guidance and training to ensure that the law is properly interpreted by officials and frontline workers.
5. BIHR delivers a range of practical supports on human rights, including consultancy, training and information, to voluntary and public sector organizations. We are currently working with other voluntary and community sector umbrella or 'infrastructure' organisations to develop a capacity-building programme for the third sector, especially for groups tackling inequality and social exclusion. As part of our mission to 'bring rights to life', we have just published four plain English guides to human rights, explaining their relevance for older people, disabled people, refugees and asylum-seekers and people living with mental health problems. Available on our website: www.bihhr.org