

## **BIHR guest blog**

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There is a great deal to be alarmed about in the UK Government's proposals to repeal the Human Rights Act. Throughout my career as a photojournalist, I have seen how decisions taken by the state have resulted in human rights breaches.

In 2017, I documented the work of the UK delegation of Disabled People's Organisations when submitting evidence to the UN Committee on the Rights of Disabled People. The evidence identified multiple human rights violations against disabled people, resulting in the Chair of the Committee condemning the UK Government for creating a 'human catastrophe'. The following year, the UN rapporteur for Poverty visited the UK, and in 2019 declared that austerity had led to 'tragic consequences'.

In February of this year, the High Court ruled that the UK Government's National Disability Strategy was unlawful due to a failure to meet the Government's own rules on consultation. This does not paint a picture of a State that respects and upholds people's rights.

The Human Rights Act doesn't just apply to marginalised communities, it applies equally to every single one of us. We will all be affected by any changes to the Act.

It isn't just the Human Rights Act reform that journalists are concerned about. The UK Government has pushed out a raft of proposed legislative changes that threaten our ability to work freely and without obstruction. Whilst under huge pressure from the Covid-19 pandemic and Brexit, organisations like the NUJ, BIHR and many others have little spare capacity to raise public awareness and respond. This is surely a deliberate tactic.

Public interest journalism seeks to uncover and scrutinise the actions of those in power and bring injustices to light. Our democracy and freedoms depend on journalists being able to do their jobs. The work we do is subject to Codes of Practice that balance press freedom against other rights, such as privacy. We can't do whatever we wish, and nor should we.

However, the growing list of obstructions we experience is alarming. Data protection laws have been used to impede journalistic investigations. The West Midlands Police tried to utilise the Terrorism Act to force Chris Mullin to disclose journalistic sources. The proposed reforms of the Official Secrets Acts would have significant negative consequences for whistleblowers and journalists and the Online Safety Bill could result in censorship by online providers.

Journalists and news platforms are faced with hugely expensive legal challenges, known as SLAPPs, designed to deter investigations into the wrongdoings of those with wealth and power. A Cabinet Office 'clearing house' coordinating Freedom of Information requests appears to be illegitimately monitoring and blacklisting journalists. If this weren't enough, there are increasing digital threats to journalists' sources, all of which restrain press freedom and freedom of expression.

This matters for everyone since without independent public-interest journalism, citizens do not know what decisions are being taken by those in power, or how their lives will be affected. When journalists are censored and obstructed, we all lose the ability to challenge public bodies when they take action that could harm us.

The actions of the UK Government over a considerable period of time betray Raab's assertions that the proposed reform will strengthen our rights. The Police, Crime, Sentencing and Courts Bill wants to restrict your right to peacefully protest. This Government does not welcome transparency and repeatedly tries to avoid being held to account. Why would they seek open themselves to greater scrutiny?

Despite the narrative about strengthening freedom of speech, the Government has in reality been chipping away at it. Negative rhetoric about the media has added to a growing environment of hostility and abuse that threatens the safety of journalists.

The Human Rights Act limits the State's actions, to prevent the abuse of citizen's rights. It is crucial for our democracy and our human rights that journalists are able to expose and challenge abuses when they do occur. It harms us all when journalists are censored.

Whilst we do have European and international frameworks to draw upon, we still need strong domestic legislation to protect our human rights and provide access to justice when those rights are not upheld.

The UK Government cannot claim to be a world leader on human rights whilst systematically undermining them. The approach is at odds with the Welsh and Scottish Governments who have taken consistent steps to strengthen devolved legislation by incorporating human rights and UN Conventions into their laws.

The devolved Governments recognise that people must have enough power to hold public bodies to account. The UK Government is trying to take that power away from us.

The NUJ rejects the Government's assertions that the Human Rights Act is in opposition to free speech and we will challenge any weakening of our rights. The rights we have are fragile and we must protect them.