

Human Rights: what's happening across the UK?

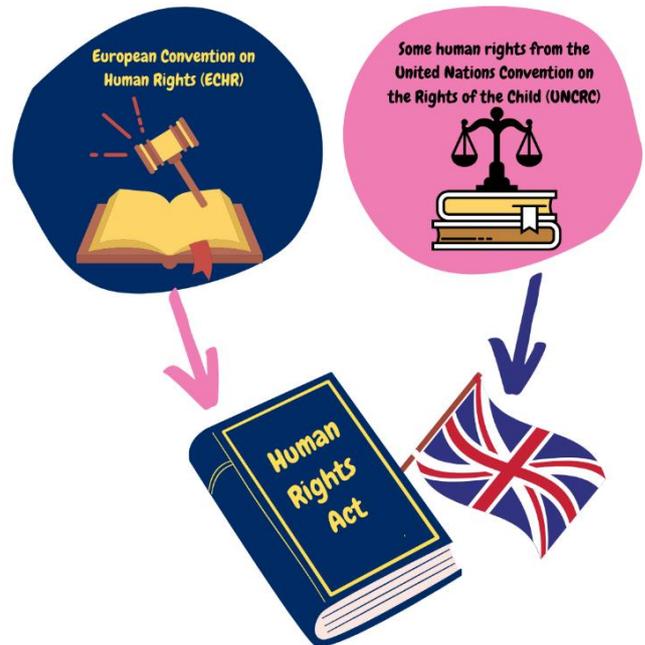
Everyone has human rights. Whether you are young or old, rich or poor, the law currently protects your rights.

There are proposals to change the law. This sheet helps you learn about what's happening in different parts of the UK. It focuses on the Human Rights Act (1998) and the proposals for a new Human Rights Bill for Scotland.

Whilst sounding similar, the Human Rights Act and the Scotland's Human Rights Bill are two very different things! This briefing will explain what each of these covers and what they do!

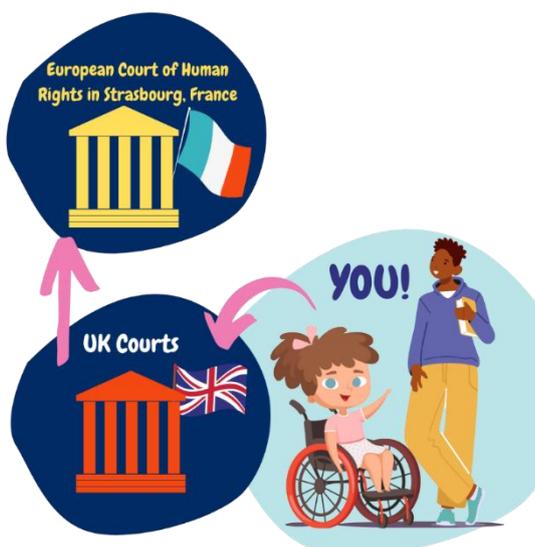
The Human Rights Act (1998)

The Human Rights Act was introduced more than 20 years ago. It puts the human rights set out in the European Convention on Human Rights (ECHR) into our law. Some of these rights are also found in the United Nations Convention on the Rights of the Child, such as the right to life and the right to education.



What does the Human Rights Act do?

It provides very important protections for some of the most vulnerable children, as it makes public organisations treat everyone equally, with fairness, dignity and respect. Public organisations include governments, police, care institutions, courts, publicly funded schools and local authorities.



For example, the Human Rights Act has been used to recognise in law for the first time the right siblings have to be involved in decisions about each other's care. [Other examples of the Human Rights Act being used to protect people's human rights can be found here.](#)

Children, young people and adults can hold public organisations to account if they do not do this. Instead of having to go to the European Court of Human Rights in Strasbourg, France, you can defend your rights by going to a court in the UK.

🇬🇧 What does the UK Government want to do?

The UK Government wants to 'overhaul' the Human Rights Act by repealing it and replacing it with a 'British Bill of Rights' or sometimes called the 'Modern Bill of Rights' (or the #RightsRemovalBill). [The UK Government's replacement Bill can be read in full here.](#)

🇬🇧 What are our human rights concerns with the British Bill of Rights?

Although it sounds like the 'British Bill of Rights' will include lots of human rights protections – it does in fact **plan to reduce them** – which is why we call it the #RightsRemovalBill! The human rights which are being targeted by the British Bill of Rights are those which are most important for children, young people and adults who are most at risk of having their rights breached.

🇬🇧 Here are some of our human rights concerns over the UK Government's proposal for a British Bill of Rights (or #RightsRemovalBill)

The Human Rights Act places a duty on public authorities to respect human rights and gives people the option to go to court and get justice if they have had their rights breached. The UK Government wants to remove these duties and limit the ability of individuals to hold them to account by adding a stricter criterion for people to fulfil to bring a case to court.

→ This will only make it harder for children, young people and adults to get justice, as it will complicate and delay things.

The UK Government is thinking that the damages (money paid to people who have had their rights breached) should be limited depending on the individual's past behaviour. This means if a person has committed a crime in the past, their damages may be affected.

→ This approach treats people differently which is unfair! It goes against the rule that human rights are for everyone.

Currently, the Human Rights Act requires UK courts to 'take into account' decisions of the European Court of Human Rights. This has helped the UK keep up with positive developments happening in other countries. The UK Government plans to change this so UK courts would no longer need to do this.

→ This could result in people living in the UK having lower standards of human rights protections in contrast to other people living in Europe. UK Courts may not be as child's rights-focused when making their decision.

The UK Government says 'foreign criminals' are taking advantage of making human rights claims, to avoid being removed from the UK. The UK Government has plans to try and reduce this.

→ This would prevent people from accessing justice if their rights have been breached and it ignores the fact that very few human rights claims are made on this basis.

What can we do?

We hope to have shown you the importance of stopping the UK Government's 'overhaul' of the Human Rights Act. Together, we can and **must** continue to pressure the UK Government to stop with its plans and instead encourage the full protection of children's human rights. We can do this by keeping the Human Rights Act and by incorporating the United Nations Convention on the Rights of the Child into our laws.

Where can I find out more about the Human Rights Act?

Liberty's website:

-  [Information on the Human Rights Act](#)
-  [An Easy Read question and answer webpage on the Human Rights Act](#)

The British Institute of Human Rights' website:

-  [Lots of Easy Read information on the Human Rights Act, including stories of people using the Act.](#)

Amnesty International UK's website:

-  [A Human Rights Act explainer](#)

Scottish Human Rights Commission's website:

-  [A video explainer on what the Human Rights Act means in Scotland](#)

Together's website:

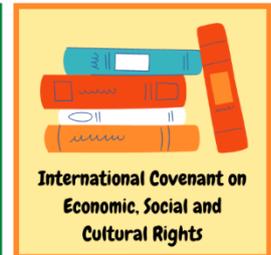
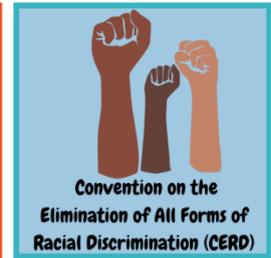
-  [Our consultation response to the Human Rights Act](#)

Scotland's Human Rights Bill

The British Bill of Rights and the Human Rights Act **should not** be confused with the 'Human Rights Bill' for Scotland.

✦ What countries does the Human Rights Bill cover?

The Human Rights Bill is a Scottish Bill that will *only* cover matters which are devolved to the Scottish Parliament. [You can find out more about devolved matters here.](#)



✦ What does the Human Rights Bill aim to do?

Scotland's Human Rights Bill aims to **put more human rights into Scottish law**. It plans to do this by putting into Scots law four different international agreements which fulfil the human rights of women, disabled people and minority ethnic communities as well as a right to a healthy environment.

✦ How was the Human Rights Bill created?

Back in 2019, Scottish Government set up a [National Taskforce for Human Rights Leadership](#). It was tasked to listen to the thoughts of children, young people and adults on how the Human Rights Bill should work. With the help of our members, the National Taskforce [consulted with many children and young people](#) and went on to make [30 recommendations](#) to the Scottish Government.

One of the recommendations said environmental, social, economic and cultural rights, such as the right to food and a healthy environment should be included in the Human Rights Bill. These recommendations were accepted by Scottish Government. [You can find more out about this work here.](#)

✦ What is happening to the Human Rights Bill now and how can I get involved?

Together sits on the [Human Rights Bill Governance and Engagement Advisory Board](#). In these meetings we give advice to Scottish Government and discuss any emerging issues related to the drafting of Human Rights Bill. Together has formed a meeting group so members can inform what we need to raise in these Advisory Board meetings. You can get involved by emailing: maria@togetherscotland.org.uk

✦ Where can I find out more about the Human Rights Bill?

Human Rights Consortium Scotland's website:

- ✦ [Information on the Human Rights Bill, including Easy Read versions, infographics, videos and international case studies of where these rights have been put into law.](#)