



The Liberal Democrats' submission to the Independent Human Rights Act Review

Summary

The Human Rights Act is working well. In particular, the core elements in Sections 2 to 4 – the duty of UK courts to take into account the jurisprudence of the European Court of Human Rights and to give effect to legislation in a way which is compatible with the European Convention on Human Rights, and the power to make declarations of incompatibility when they cannot – provide a well-balanced system for protecting individuals' rights and upholding the UK's international commitment to human rights, while also preserving parliamentary sovereignty.

By incorporating the Convention into UK law and empowering individuals to enforce their rights in domestic courts, the Human Rights Act has succeeded in its purpose to “bring rights home” and stop people having to embark on lengthy and expensive proceedings in Strasbourg.

The Liberal Democrats therefore strongly oppose any changes that would upset the careful balance achieved by the Human Rights Act or weaken it in any way.

The Liberal Democrats' commitment to human rights

The Liberal Democrats exist to build and safeguard a fair, free and open society where everyone's dignity and wellbeing is respected. Promoting human rights is therefore at the core of our mission.

We are proud that the European Convention on Human Rights was largely a British creation: advocated by Winston Churchill and co-written by David Maxwell Fyfe, a Conservative MP who would become Churchill's Home Secretary. We are also proud that the UK was the very first country to ratify it 70 years ago.

Right from our founding, the Liberal Democrats campaigned to incorporate the Convention into UK law, to allow us all to enforce our rights and freedoms in British courts. We supported the Human Rights Act when it was passed, and have continued to champion it ever since.



When we were in government, we successfully defended the Human Rights Act against the Conservative Party, which had pledged in its manifesto for the 2010 General Election to replace it.

Our manifesto for the 2019 General Election contained a commitment to defend the Human Rights Act, and our most recent party conference in September 2020 passed a motion affirming that Liberal Democrats will always defend individuals' abilities to challenge the Government in court and uphold their rights, and strongly opposing any proposals to weaken the Human Rights Act or undermine the rule of law in any way.

The success of the Human Rights Act

The Human Rights Act is working well.

It protects everyone's right to a fair trial and to keep their private life private. It bans torture, slavery and forced labour. It ensures we have freedom of religion and expression. And it empowers every individual to challenge governments in court to uphold their rights.

The central guarantor of our rights remains the European Convention on Human Rights itself. By making those rights accessible and enforceable for individuals in the UK, the Human Rights Act erects a rampart against future potential authoritarianism, while also guaranteeing legal redress for the mistakenly abusive exercise of power by state bodies whose intentions are essentially benign.

When people died because of poor care at Stafford Hospital, the Human Rights Act enabled their families to secure an inquiry, which led to major improvements in accountability and patient safety.

When British soldiers died in Iraq because their vehicles were inadequate, it was thanks to the Human Rights Act that the Supreme Court ruled that the government has a duty to properly equip our troops when it sends them into combat.¹

After 96 people were crushed to death in the Hillsborough disaster and the victims themselves were blamed, it was the Human Rights Act that helped their families to finally get the truth.

¹ *Smith and others v Ministry of Defence* [\[2013\] UKSC 41](#)



When the Metropolitan Police failed to properly investigate the crimes of John Worboys, “the black cab rapist”, the Human Rights Act empowered his victims to hold the police to account and get compensation.²

The success of the Act lies in its architecture. The various provisions dovetail neatly, both to ensure that individuals can fully enforce their Convention rights in the UK and to place effective limits on state action. It is critical that we preserve the interlocking elements of this architecture in full. If any part of the Act were to be dismantled, the whole could be fatally weakened.

Weakening the Human Rights Act would stop people from exercising power against governments when they trample on our rights. And it would make it harder to secure inquiries or put things right when mistakes are made.

The Liberal Democrats therefore strongly urge the panel to reject any proposals that would weaken or undermine the Human Rights Act in any way.

The importance of the UK’s commitment to the European Convention on Human Rights

Promoting human rights around the world

The UK’s full participation in the European Convention on Human Rights is a crucial part of our commitment to protect, defend and promote human rights internationally. That includes both our explicit obligation to abide by the final judgment of the European Court of Human Rights (ECtHR) in any case to which we are party³ and the duty of domestic courts, as Lord Bingham put it, “to keep pace with the Strasbourg jurisprudence as it evolves over time”.⁴

British leadership through the Council of Europe and the Convention has helped both to enlarge individual rights and freedoms and to tackle persecution across the continent. Sadly, though, human rights abuses are still all too prevalent in Europe: from the introduction of appalling “LGBT-free zones” in Poland to Vladimir Putin’s efforts to quash any protest or opposition in Russia.

² *Commissioner of Police of the Metropolis v DSD and another* [\[2018\] UKSC 11](#)

³ Article 46(1) of the [European Convention on Human Rights](#)

⁴ *R (Ullah) v Special Adjudicator* [\[2004\] UKHL 26](#), para 20



Any changes that weaken the UK's commitment to the Convention and the ECtHR would embolden these oppressive regimes and diminish Britain's positive role in Europe and around the world.

We would lose credibility in seeking to persuade other countries of the importance of a commitment to human rights if our own commitment were diluted by anything that weakens our acceptance of the international dimension of human rights law, as embodied in the Convention.

And we would also weaken the hands of those in other countries trying to get their own governments to uphold human rights – just as the UK's long failure to implement the ECtHR judgment in *Hirst*⁵ has been used by some in other Council of Europe countries to argue that they do not need to follow other ECtHR rulings.

Guarding against authoritarianism

A great virtue of the Convention is that it not only protects individual citizens against the misguided non-compliant actions of state bodies in a benign regime, but that it imposes international obligations of compliance with the Convention upon a regime that moves towards the despotic. There are, sadly, some such regimes in Europe.

The risk is always closer than we think. Times of national emergency and crisis can be the times of greatest danger for human rights. Political expediency and political considerations can often trump respect for human rights. Lest we become complacent, they have often done so in the UK.

The importance of the European Court of Human Rights (ECtHR)

The ECtHR rules against the UK only very rarely. Since it was established in 1959, the ECtHR has delivered just 323 judgments finding the UK in violation of the Convention⁶ – an average of just five per year.

However, when the UK Government has violated the Convention, the role of the ECtHR has been critically important – both before and after the introduction of the Human Rights Act.

⁵ *Hirst v UK (No 2)* [74025/01 \[2005\] ECtHR](#)

⁶ European Court of Human Rights (2021) [Violations by Article and by State 1959-2020](#) and *VCL and AN v UK* [77587/12, 74603/12 \[2021\] ECtHR](#)



For example, when 14 detainees in Northern Ireland were hooded, forced to stand for long periods in a “stress position”, subjected to a continuous loud hissing noise and deprived of food, drink and sleep, the ECtHR ruled that the UK had violated their rights under Article 3 of the Convention not to be subjected to inhuman or degrading treatment.⁷

In 2008, the ECtHR ruled that the UK law at the time permitting the blanket retention of DNA samples, profiles and fingerprints of people who had been arrested but not convicted of any crimes violated the right to respect for private life under Article 8.⁸ This helped lead to the end of that policy and the stricter regulation of biometric data under Part 1 of the Protection of Freedoms Act 2012, introduced by the Liberal Democrats in Government.

Most recently, the ECtHR ruled in January 2021 that the UK had violated the prohibition of forced labour under Article 4 and the right to a fair trial under Article 6 by prosecuting two young victims of human trafficking without properly considering evidence that they had been trafficked and exploited.⁹

The UK's global reputation

As well as undermining our fight for human rights around the world, any weakening of the UK's commitment to human rights would also go against our national self-interest. It would call into question our reliability and trustworthiness as an international partner on trade, security and other cross-border issues.

This is even more important following the UK's departure from the European Union and particularly in the light of the Conservative Government's misguided attempt to repudiate international obligations it had entered into less than a year beforehand. Sadly, the UK's reputation for respecting and honouring our international obligations has already taken a hammering under this Government.

It is vital to the future of that reputation – and therefore for the future of “Global Britain”, for our exercise of soft power, and for our perceived reliability as an international partner – that we show ourselves to be trustworthy and true to our word.

⁷ *Ireland v UK* [5310/71 \[1978\] ECtHR](#)

⁸ *S and Marper v UK* [30562/04, 30566/04 \[2008\] ECtHR](#)

⁹ *VCL and AN v UK* [77587/12, 74603/12 \[2021\] ECtHR](#)



Not only that, but UK and EU cooperation on combatting cross-border crime under the Trade and Cooperation Agreement is explicitly premised on the UK's continued domestic implementation of the Convention.¹⁰

We must not, therefore, take any steps to amend the Human Rights Act that could lead other countries to believe that our commitment to the European Convention on Human Rights is anything less than absolute.

Theme One: the relationship between domestic courts and the European Court of Human Rights

Section 2: Interpretation of Convention rights

The duty on domestic courts to “take into account” the jurisprudence of the ECtHR in Section 2 of the Human Rights Act enshrines the UK's vital commitment to an international human rights framework that extends far beyond our borders, while allowing domestic courts to interpret and apply those rights appropriately in the context of UK law.

This duty is often attacked by those hostile to the Human Rights Act and the Convention, but it is of crucial importance. There is, inevitably, real tension between the state and individuals seeking to enforce their Convention rights against state bodies in UK courts. If domestic courts were not bound by the ECtHR jurisprudence, there would be a risk of domestic courts tending to favour state bodies.

The judgments mentioned above represent just some of the numerous occasions on which the UK Government has been found by the ECtHR to have violated individuals' Convention rights. In many of these cases, UK courts had come or would have come to different conclusions. If UK courts were not compelled by law to take account of the ECtHR jurisprudence, it is likely that the divergence between domestic law and our international obligations would quickly become unmanageable.

It would therefore be a mistake to amend Section 2 of the Act. It is worth recalling what the Commission on a Bill of Rights' consultation found in 2012:

¹⁰ [Trade and Cooperation Agreement between the European Union and the European Atomic Energy Community, of the one part, and the United Kingdom of Great Britain and Northern Ireland, of the other part](#), Article LAW.GEN.3: Protection of human rights and fundamental freedoms



“There was also a clear majority in favour of maintaining the requirement in the Human Rights Act on UK courts to ‘take into account’ relevant judgments of the European Court of Human Rights with three quarters of those responding on this issue wanting to maintain the current formulation.”¹¹

The Human Rights Act strikes the right balance between requiring domestic courts to consider relevant ECtHR cases but not binding them absolutely. This balance is working well and should not be disturbed.

Theme Two: the impact of the HRA on the relationship between the judiciary, the executive and the legislature

One of the great strengths of the Human Rights Act is that it gives each of the judiciary, the executive and the legislature its proper role in upholding human rights.

Government ministers and other public authorities are required to act in line with Convention rights. The courts are required, as far as possible, to give effect to legislation in a way that is compatible with Convention rights, and to issue a declaration of incompatibility when that is not possible.

And Parliament remains sovereign. The Human Rights Act does not place any constraints on the laws Parliament can make, and the courts do not have the power to strike down Acts of Parliament that are incompatible with rights.

Once the courts have made a declaration of incompatibility, it is up to Parliament to decide how to respond. Of course, we believe that all legislation should be compatible with Convention rights – but the Human Rights Act appropriately makes that a matter for Parliament.

The Human Rights Act is a remarkable achievement. It introduced a much-needed human rights framework into UK law, while also upholding the parliamentary sovereignty that is a crucial part of our constitution. That achievement should not be jeopardised by unnecessary reforms.

Opponents of the Human Rights Act have frequently advanced a political argument that in some way UK courts applying the Human Rights Act have “exceeded their brief” and invaded territory that should be reserved for the legislature. (They also advance a

¹¹ Commission on a Bill of Rights (2012) [A UK Bill of Rights? The Choice Before Us: Volume 1](#), p22



similar argument in relation to the ECtHR and the Convention.) However, there simply is no significant evidence for such a view.

A recent study by the Public Law Project of challenges to delegated legislation has found “scant evidence of judicial overreach”.¹² The authors conclude:

“Overall, if one actually looks at the cases most likely to vindicate any claim that judicial review of delegated legislation under the HRA unduly interferes with the business of the executive, there is very little cause for concern. At the same time, there are a range of compelling reasons why the present approach ought to be retained...”

“In our view, the panel considering reform should—without clearer evidence and justification—be extremely wary of any claim that the HRA is a hinderance to delegated law-making.”

Section 3: Interpretation of legislation

The duty of domestic courts under Section 3 of the Act to interpret all primary and subordinate legislation so that it is construed as compliant with Convention rights is very important.

First, it acts as a fetter on the courts, preventing them from chipping away at Convention rights by interpretations which favour the state in contests with the individual. Second, it acts as an incentive to lawmakers to ensure that legislation does in fact respect human rights – and as a reminder to state bodies that all such legislation will be required by law to be given effect in a way that is compatible with the Convention.

So Section 3 has a wider effect than ensuring compliance with the Convention in individual cases, because it has radically changed the culture of both courts and lawmakers in connection with disputes between state bodies and individual citizens involving human rights.

It is clear from the judgments that courts generally try very hard to uphold their duty to interpret legislation consistently with Parliament's intentions when enacting it, as well as

¹² J Tomlinson, L Graham & A Sinclair, 22 February 2021, [‘Does judicial review of delegated legislation under the Human Rights Act 1998 unduly interfere with executive law-making?’](https://ukconstitutionallaw.org) on ukconstitutionallaw.org



their duty under Section 3 to give it effect in a way that is compatible with Convention rights, “so far as it is possible to do so”.

Neither of these tasks is easy, and it is inevitable that individuals disagree with the outcome of particular cases. However, that does not amount to a case for amending or repealing Section 3, which provides a critical route for individuals to uphold their fundamental rights and freedoms through the courts.

Sections 4 and 10: Declarations of incompatibility and remedial action

Declarations of incompatibility under Section 4 of the Act have proven an important tool to address legislation that breaches Convention rights, while preserving parliamentary sovereignty by leaving the final decision to the legislature. They have worked extremely well, and the fast-track legislative power under Section 10 has enabled remedial action to be taken with minimal embarrassment for the Government and without undue delay (albeit with some notable exceptions).

Since the Human Rights Act came into force, Parliament has passed new legislation or approved remedial orders to address 23 declarations of incompatibility, and the Government has committed to address three more through remedial orders.¹³

Section 4 could be strengthened by extending the power to make declarations of incompatibility to the Upper Tribunal. The Upper Tribunal is, after all, a superior court of record with (in other respects) “the same powers, rights, privileges and authority as the High Court”.¹⁴ There is no good reason to bar the Upper Tribunal from making declarations of incompatibility, and allowing it to do so would help to prevent claimants unnecessarily going to the Court of Appeal to seek them.

Section 19: Statements of compatibility

The requirement for Ministers under Section 19 of the Act to make a statement about the compatibility of any new legislation with Convention rights imposes a serious obligation on the Government to consider human rights before introducing legislation.

The fact that this commitment is open to political challenge is significant. Certainly, were the traditions of democratic responsibility to break down, the obligation would have less

¹³ Ministry of Justice (2020) [Responding to human rights judgments: Report to the Joint Committee on Human Rights on the Government's response to human rights judgments 2019–2020](#), p30 and Written Statement by Nigel Adams, Minister for Asia on 23 February 2021: 'Remedial order to address State Immunity Act 1978 - European Convention on Human Rights incompatibility', [HCWS788](#)

¹⁴ Sections 3 and 25 of the [Tribunals, Courts and Enforcement Act 2007](#)



force. But, in the UK at present, the responsibility appears to be taken seriously by Ministers.

Access to the courts

Unfortunately, restrictions on access to the courts are limiting individuals' power to make use of the Human Rights Act to enforce their rights.

Access to justice is a crucial right, and one that is vital for individuals to enforce their other rights and to defend themselves from injustice. Sadly, the restriction of access to justice in recent years means that too many people – especially the most vulnerable – are currently denied that right, and this contributes to poverty and social exclusion.

Limitations on the ability to seek judicial review – including the difficulties of securing cost-capping orders or legal aid to bring judicial review applications – fundamentally threaten the rights of citizens to challenge state action. The voluntary sector has often had to step into the gap, and charities have supported many successful challenges to legislation or government action that violates Convention rights.

Liberal Democrats are also deeply alarmed at the prospect of this Conservative Government restricting judicial review even further, which would make it even harder for individuals to challenge governments and enforce their rights.

Just as human rights are for everyone, so access to justice must be universal. All citizens must be able to enforce their rights in court, against the state in the same way as against other individual parties, and to defend themselves against abuses of power.



Annex: Individual responses

The Liberal Democrats recently launched a campaign to save the Human Rights Act. So far 8,000 people have signed up to support our campaign.

A number of people have sent us their own responses explaining why the Human Rights Act is important to them. We include these below.

"Since York became a Human Rights City I have come to see that human rights apply not just to people far away who live under dictatorships but also to us, and that they touch many aspects of our lives, including housing, health, education, income and employment. They are particularly important for disadvantaged people - people of colour, refugees and people with disabilities. (I belong to the York Disability Rights Forum, whose motto is 'Disability Rights are Human Rights'.) During the pandemic we have all seen our human rights curtailed, some groups more than others. It has tended to be those groups who were previously disadvantaged who suffered most. In the initial emergency I think this was excusable, but now I think a real effort should be made to treat all groups fairly and, as far as possible, to uphold the human rights of all people - people who are, in the words of Peggy Seeger, 'different therefore equal'." – Eleanor

"The Act is the protection of the individual from the overwhelming power of the State. It balances the rights of individuals with the rights of society as a whole. It gives the individual legal redress when the State acts unjustly. A Human Rights Act is the mark of a civilised, democratic state." – Margaret

"The Human Rights Act originated from the horrors of the Holocaust, to prevent humans being treated as inanimate objects by their fellow humans. This is still happening in many countries in the world and the Human Rights Act is not being used to stop or prevent it. That matters; we cannot be regarded as a human race while it continues. It degrades us all, and I am ashamed." – Elizabeth

"It helps protect people from abuse and ensures a level playing field of what people can expect from governments and corporations." – Chris

"In this country it is my right by birth. My grandfather had to flee here from Poland to gain and claim that right. He fought hard so that his descendants including me could lead a life of freedom. My father went to war to fight for this freedom. I value his sacrifice and gift to me. I hold this close to my heart and in my turn will defend it with my life if necessary." – Irina



"They helped my Dad get justice after the Hillsborough disaster." – James

"Human rights matter to me because I think that everyone should be treated with dignity. Injustices of all kinds can happen very easily and we should all be educated to fight them and learn to respect and honour others, and celebrate difference." – Kate

"Why would anyone want to make life worse... for everyone? It's a parent's worst nightmare to think that our kids may not have the same human rights we enjoy today. It's not correct that a politician and or political party can deny your right to have and express your own opinions, your right to an education, your right to privacy and family life, your right not to be mistreated or wrongly punished by the state, thus digressing society decades to a time where slavery was acceptable. Do we want to go back to the fighting and killing of the past? Have we not learnt anything? Anything less than equality for all is a life looking over your shoulder, no matter who you are!" – Ian

"Human rights matter to me as they help to defend our way of life in a fair democratic society and protect us from the intentions of tyrannical governments." – Jake

"I think it is difficult for us to fully understand the loss of our human rights because generally our human rights are upheld in this country. However it is for this reason we should be vigilant, because as we have observed, it is easy to erode human rights, in the first place by arguing that it is for the greater good of the country and then that loss becoming enshrined in our law. We, therefore, must test changes through gaining views of those that are affected most and if necessary challenging the change." – Audrey

"Human rights matters because each and every human life is precious and needs to be valued, nurtured, defended, and treated with respect and dignity." – Stefano

"As a member of the LGBTQ community, human rights are so important, not just for us but for all. For years members of the LGBTQ community had to hide from society and be ashamed. Things have not changed much in 2021 and the only real protection we have is via our human rights. If the Human Rights Act is amended people will become very vulnerable." – David

"Without human rights justice cannot be achieved." – Karen

"I don't have a human rights-related story, simply because I grew up in a state in which efforts are made to respect them. And that is part of their importance: it is not that they can prevent genocide or injustice merely by their existence but that their enforcement by the courts obliges the state in everything it does to consider the effects of its action on individuals



and groups, making society better for everyone and with a little luck and good faith, preventing rather than remedying some of the injustice we can otherwise encounter in life.” – Benedict

“Human rights are an internationally agreed set of standards for the treatment of people. Personally, I see that any watering down of basic rights is a dangerous road to go down. We’ve already had to fight hard over decades to get those rights enshrined in law, and without them I think that people could be at risk of being abused, particularly when in custody or immigration detention. People in those situations are some of the most vulnerable, and if anything, I believe that the law should be strengthened to give more protection, not less. Applying universal standards strengthens the role we can play internationally as well.” – John

“Because we are all equal and nobody should be victimised because of who or what they are.” – Agnetha

“Because in the past year I’ve discovered how easy it is for Governments to cancel our unalienable rights to a family life, our rights to freedom of movement, our rights of assembly, our rights to an education, our rights to freedom of protest and our rights to a cultural life and the arts. And all because Governments had not prepared for a pandemic which was predicted by scientists.” – Trevor

“I have seen for many years the results of a repressive education on a very close family member and I have understood the unique and sacred importance of freedom!” – Carlo

“Because I have lived in countries in the Middle and Far East, where human rights are not considered to be important, and have seen the suffering and fear, which have caused so many people to live constrained lives.” – Raymomd

“Because my Home Office application is based on the Human Rights Act.” – Erlan

“Through the Human Rights Act people within the strands of diversity in the Equality Act receive due recognition. People’s right to peaceful demonstrations and trade union rights receive some recognition. The Human Rights Act protects individuals from an over zealous state. It balances rights of parties who may come into conflict in a measured way. The Human Rights Act protects individual freedom but also determines that there are responsibilities as well as rights. To take away the Human Rights Act would allow the state to be more intrusive in people’s lives.” – Howard



"As a human being, my rights to enjoy my life matter to me and so it is only fair that others should share the same rights." – Gerald

"I've been fighting the last 45 years for dignity but I don't enjoy the primary freedom of human rights. So, I know why human rights matter to me." – Dipendu

"First, to address the matter of 'Freedom from torture and inhuman or degrading treatment', I am volunteering with refugees who escaped with their lives from such treatment in Syria and arrived in this country trusting that they would never again experience or witness degrading and cruel treatment at the hands of those who consider themselves above the law. Second, I worked until retirement as a Registered Intermediary and witnessed for myself the appalling, degrading effects of modern slavery in which (often young) women had been held against their will and used as servants and sexual objects. Although, as a servant of the court, I assisted police, CPS lawyers and judges in order that vulnerable witnesses could be enabled to give their evidence against alleged perpetrators of physical and sexual violence, I would still resist ANY suggestion whatever that suspects and defendants should be denied the right to a fair trial. I also worked as Intermediary with some vulnerable defendants. If found guilty, having given their own evidence in defence, then a proportionate sentence was absolutely in order. But there should NEVER, in a civilised society, be punishment without a proper judicial procedure." – Gill

"I seem to have less and less control over my life and my decisions. I have spent a lot of time believing that, so long as I remain within the law, I may choose what I put in my body, that I have a right to protest peacefully against what I feel is wrong, that I have freedom to travel, and explore our once wonderful planet. These, and other rights seem to be gradually taken away from me. I feel as though I live in a dictatorship with less and less control over my own life, options and the opinions I hold." – Judith

"There but for the grace of God go I.' Apart from just fervently caring for fairness and justice I believe that any of us could slip through the net at any time if we don't have principles, guidelines and structures in place to protect not only our fellow citizens but those of countries the world over; especially those with whom we have relationships that benefit us at their expense." – Rita

"Human rights are surely the most fundamental and vital right we all possess, which is why I am a member of Amnesty International. They are basic and are logically part of what it is to be human, but sadly are abused here and all around the world, notably just now in, for example Saudi Arabia, China and Russia." – Gillian



"The enactment of the Human Rights Act brought freedom of expression and other fundamental rights into English law for the first time." – Philip

"Because I was once victimised." – David

"Governments who disregard human rights can and do persecute people who they victimise for political reasons. Russia, the People's Republic of China, Iran, North Korea, are among the many countries where persecution is a tool of government. The Windrush scandal, and the 'Hostile Environment' are examples where UK standards have declined, so that we can take our place among the other brutal states of this world. The Human Rights Act is needed and needs strengthening, instead our government is trying to abandon this protection of the innocent and further our descent into the evil of far right xenophobia. I am appalled." – Matthew

"We are all human and deserve a peaceful life of freedom." – Adrian

"As a committed Christian, I believe all human beings deserve respect and protection, as equal before God." – SJ

"First, there's my personal situation. As a bisexual man, I often read stories of people like me for being killed because of who we are. There are currently 12 countries which hold the death penalty for homosexuality, and by removing the Human Rights Act we take one step closer to being like one of them, or at least one of the over 70 who still have it criminalised. Second, there's the spiral this could cause. Without human rights, what's to stop the death penalty from coming back? Why should people get benefits if they don't have the rights to food and shelter? What's the moral objection to price gouging if nothing a human needs is non-negotiable? Third, there's the principle. If we do not protect certain inalienable rights of the people then what does matter about humans? Nothing but their theoretical 'use' like a tool instead of a person. If the Human Rights Act is scrapped, then we say to the people of this country and every other that Britain cares naught for them. Fourth, the history. Winston Churchill is a hero among the Conservatives and he is a hero for his continuing the fight against Hitler. The Conservatives love the idea of the small island nation standing against all of Europe, democracy against fascism yet they refuse to maintain that legacy. Around 450,000 brave British died in that war (including Crown Colonies) to preserve their democracy against the loss of their rights as presented by the Nazis and various other forces. The Conservatives will tell this story endlessly - the comparisons during the referendum were endless - but they refuse to learn the lesson from it and make the sacrifice worth something. Human rights should motivate a government more than anything else in an attempt to provide its citizens at least the bare minimum for a government's duty is to support its



citizens and scrapping the Human Rights Act would be a direct spit in the face of every citizen of the United Kingdom.” – Thomas

“Because all humans should be treated with dignity and respect. A civilised society allows all to express their views (so long as they don’t undermine others) and (unless in extreme reasons) allows all humans contact with their family and friends.” – Celia

“We are all human, and must have the same rights internationally... irrespective of our nationality, faith, race, or creed!” – Peter

“The voice of the powerless should not be silenced by the powerful. We should all be seen as equal in the eyes of international law.” – Robert

“I was born in Pakistan but have lived in the UK since just under two years old. This background makes me much more conscious of human rights abuses elsewhere. I particularly value freedom of speech and freedom of religion. Governments, even in Europe, even the UK Government, cannot be relied upon to protect human rights. We saw that with the torture of IRA prisoners by the UK Government. That is why the European Convention on Human Rights is vital. However UK citizens should not need to rely on international litigation. That is why the domestication of human rights via the Human Rights Act was the right thing to do. We must not slide back from that. Any abolition of the Human Rights Act can only be because the Government plans to limit human rights.” – Mohammed

“Human rights matter to me as a result of my experience of living in countries in South America and Asia where they are not considered to be so important. To me, justice has been vitally important since I was a child.” – Jennifer

“They establish basic rules of how we behave to each other, what rights and freedoms we may expect from others, and what rights and freedoms we should give them in return. Human rights are the basis of an egalitarian society and they establish our moral norms.” – James

“I have spent my adult life defending the human rights of vulnerable people against the powerful, from the homeless to people in social care, prisoners to refugees. All these groups have benefitted from protections in the Human Rights Act. Human rights matter to me because without them my family and community have much less protection from the arbitrary actions of government. I began my professional career as the Human Rights Act came into force and have seen with shame successive governments seek to undermine it. We need to stand up for our rights or governments will take them from us. The Human Rights Act has made human rights accessible without the time and cost of going to Strasbourg. It



brought rights home! If we lose it, this government will chip away at the authority of the European Court of Human Rights and eventually we may lose that too. The Human Rights Act is a protection we should all treasure.” – Benjamin

“I am worried that right-wing politicians will move to stop freedom of speech when people criticise them. They will try to restrict freedoms like abortion. They want to stop the decisions about Covid being guided by scientists.” – David

“Human rights legislation should be fundamental to and unquestioningly a part of any civilised democracy. To deny this to anyone for any reason is inhumane, undemocratic and unjust. As the late Rev Dr Martin Luther King said ‘Injustice anywhere is a threat to justice everywhere.’ I am deeply concerned at the campaign to have the human rights legislation secured with the help and support of the European Court of Justice, removed from the UK statute book, now we are no longer an EU member state. This campaign is essentially being led by the same far right UK nationalist politicians who were instrumental in the campaign to leave the EU with this objective also in their mind. It is an agenda which denies the right to the very existence of already marginalised people; LGBTIAQ+, refugees and people with life-limiting conditions because of bigotry and prejudice rife within far right conservative society. They now believe they can achieve this by leaning on a Conservative government with their 80 seat parliamentary majority, in the same way they did over the campaign to leave the EU and without any legally binding interference from the ECJ. The very idea is obscene to me and should be to any decent minded UK citizen. I would suggest it is neither constitutional nor lawful to deny anyone basic rights and protections in law. If this campaign succeeds, large numbers of vulnerable people and groups in the UK who are protected under this legislation as it stands, will no longer feel protected and safe to remain here and forced to leave which is what these campaigners want. I base my views on a recent news item featuring Nigel Farage who is among those calling for the removal of human rights legislation.” – Yvonne

“Where do I begin? Every one of us regardless of colour, sexual orientation or creed should be free to speak or practice without hindrance or pressure from others. Every single one of us should have the same rights in life but sadly, as I see it today, this is not the case even in a country like the UK, which I would describe in general terms as enlightened.” – Tony

“I believe that every person should have the same chances to be free, to hold opinions and to have an education.” – Madeline

“It's the recognition that the only way for all of us to feel valued is that all need to be seen equal in the eyes of society. We must all work to prevent racism from being so controlling in the way we all act with each other. I have a good friend who is also a professional singer who



has had many problems with the fact that he is Black. Until all are free to succeed, we will all be held back!" – Emlyn

"I work with asylum seekers. Their human rights have been almost completely ignored under this government. In particular the right to Liberty and Freedom." – Charmian

"Human rights are not owned by any one country. They are universal and ensure that all humans are treated with a certain degree of respect. I believe in the dignity of the human being no matter who they are. Without human rights we run the risk of taking decisions that don't respect the fact we are all human. Risks of not observing human rights include genocide, oppression, poor treatment of prisoners and refugees." – Andy

"Because I am human and deserve to be treated humanely like every other human being." – Philip

"I am dyslexic and have studied the history of war photography from the first shutter click to 2000." – Marc

"Holding the guilty to account and preserving human rights is vital to us as civilisations." – Hugh

"As a descendant of Holocaust survivors on the Continent, I view it as essential to protect people's liberties to avoid the danger of creating 'second class' or 'no class' citizens." – Thomas

"Human rights is a shared understanding and starting point for us all – it underpins all our relationships and emphasises our shared humanity. It is the mirror in which we should see every person on the planet reflected. Every life is valuable, and the existence and support of our human rights in law draws that stable base line that we can all refer to and depend on in darker times when groups or individuals seek to persecute, forcefully exploit or set themselves up over others. It is the best statement we can make to keep the world's people safe, and our best hope of aspiring to peace for all." – Moira

"Every human being has the absolute right to humane treatment and respect in whatever circumstances. Where law and order is absent, then a resulting inhumanity can produce gross violations of personal dignity and security. The human rights issue is of global concern in the promotion of civilised standards and values and is a priority in all societies." – David

"Because injustice just is not right." – Susan



"Because I am autistic and people like me have human rights as well as other people." – Daniel

"I'm transgender and every day I see reports and press stories of my rights and my community's being taken away from us one by one. Why should I, when my medication costs less than that for someone with type 2 diabetes, be restricted treatment? These matters and rights aren't luxury, they directly impact the quality of life for hundreds of thousands of LGBTQ+ folk and if they're damaged or infringed in any way, that's those lives being put at risk; right when we need them the most. Human rights aren't a luxury, they're a life-saving necessity – and we need to make sure they're written right." – Will

"Our human rights were double checked, they were guaranteed by both UK and EU law. Now that we've left the EU they're reliant entirely upon the foibles of the UK executive. Evidently to the current Home Secretary those obligations are an obstacle rather than a commitment, to the current Health Secretary the law is something to be gotten around not observed and to the current Cabinet Office Minister obligations towards responsibility and transparency are to be actively subverted. Our constitutionless system cannot be trusted." – Stephen

"We need to defend the Human Rights Act because it is the natural tendency for governments, whether Conservative or Labour, to seek to increase their own power at the expense of the people's freedom. So in the years after 2001 the Blair Government sought to use the 'war on terror' as a justification for violating our human rights as spelt out in the ECHR and the Human Rights Act, for example by trying to extend the length of time for which suspects can be held without charge to 90 days. Similarly, the current Johnson administration has used the pandemic as a justification for curtailing parliamentary scrutiny of their actions. 'Special' powers justified as emergency measures quickly become normalised: I live in Poole and in 2008 the Conservative-controlled council used powers intended for use against terrorists and international organised crime to spy on the family of a local resident because they suspected (incorrectly) that she was lying about her address in order to secure a place for her daughter at a popular primary school. It was the Human Rights Act which enabled her to win a case against Poole Council to gain redress for this violation of her family's liberty. In 2009, I visited Auschwitz as part of a project organised by the Holocaust Education Trust. When a civilised and democratic nation compromises its commitment to liberty and to human rights by exempting itself from some of the international laws drawn up after 1945 to prevent another Holocaust, that is the start of a slippery slope. At the foot of the slippery slope lies Auschwitz." – Mark

"I served as a military officer for 10 years and have since been working in the humanitarian and international development sectors in a number of conflict and crisis affected countries. I have seen the consequences for people, families and communities when human rights are



not protected and when those in power are not held accountable for their actions. Whether in the UK or abroad, the ability to live in dignity, free from fear, and to be able to be your best self allows societies to flourish and human beings to thrive. Having human rights protected and cherished enables human beings to fulfil their potential, and we need all the human ingenuity and creativity possible to seize the opportunities and address the challenges of the 21st century. Fundamentally Human Rights come down to fairness and respect. Those two values have been central to my professional work and are also why I am a Liberal Democrat. That is why human rights are important to me.” – Jonathan

“Human rights helped as a kid. The special needs act helped me and my friends lead a fulfilling life in school, it helped us go further than we thought we could.” – James

“Human rights matter to me because they ensure that each and every person is entitled to be heard in court. With no exclusion, whether rich or poor, young or old, indigenous or foreign. Everyone has that right. Habeas corpus was written into Magna Carta in the 13th century. It is a timeless right that should exist for always, everywhere and for everyone. Only dictators, tyrants and despots would desire otherwise.” – Dianne

“Human rights are so vital to every individual, whether you are an atheist or of any religious belief or the ordinary man unassumingly going about his daily business on the high street, otherwise it is very dangerous to leave it in abeyance. Whether it applies to domestic incidents behind closed doors or on international levels, as it can often lead, if not attended to, to the fuse of disaster.” – David

“When I think about human rights, my first thoughts go to the Universal Declaration of Human Rights, adopted by the UN General Assembly on 10th December 1948. Drawn up after the WW2, it was a reaction to the total disregard for Human Rights demonstrated by the Nazi regime when it came to their treatment of the Jews and other minorities. Unfortunately we have not seen the last of such abuses in this world. The governments of China and Myanmar continue to oppress minorities today. Even our own government with its ‘hostile environment’ towards immigrants, demonstrates just how necessary it is that we have the Law to protect us from our own government! The Human Rights Act has the force of the law behind it (unlike the UN Declaration). The lack of respect our Prime Ministers have for the Parliamentary process, commencing in 1997 and accelerated massively by Boris Johnson, gives the Law an increased importance. Our present Government has not got the ability or wisdom to draw up a suggested Bill of Rights to replace the existing Human Rights Act. We must stick with what we have and certainly not contemplate changing anything under the present incompetent administration.” – Ian



"I visited Darfur at the height of the killing in 2004, and interviewed a young woman called Hawa. She had survived an attack on her village by soldiers of her own government. She knew her ethnic group was targeted by the ruling Khartoum regime because they were Black Africans, and therefore the 'wrong' type of Muslim. She asked me to make her voice heard beyond Darfur because the international community was deaf to appeals by Darfuris. When I asked her what she wanted, she said, 'It's nice of the humanitarians to send food and blankets, but we're African, and we're used to coping. What we need is for you to take the guns away from the people who are killing us.' As it turned out, that was the one thing the international community would not do. We certainly sent blankets and food, but what Hawa wanted was for the Universal Declaration of Human Rights to be enforced." – Rebecca

"Magna Carta was written for the Big & Powerful People. The same people who continue to push the idea that it covers all of us in Britain. But it does not protect us all. We need a basic but defined set of our human rights. Look how we have to crowdfund a legal battle to obtain information about massive funding of Covid-19 materials by Johnson, Gove et al with no Parliamentary oversight. The High Court has said that the Government has been remiss, but government action has been to try to 'price us out' by claiming huge costs incurred by them in defending against us little voters!" – Trevor

"Every civilisation creates and reveals its growth towards full humanity. In our time, legislation is a revelation of this growth, and not just revelation but initiative too! The future depends on the past accomplishment. We must continue to promote individual development via legislation." – Steve

"Our human rights protect us all from abuses to our freedom and allow us to live fulfilling lives. We must learn from the experiences of our history." – Noah

"We must fight to retain our liberty every day, be it racial, gender, religious, or civil. Liberty and human rights go hand in hand, and if that means we pay more for food and cars to ensure they come from countries with good human rights records, then so be it, it is a small price to start to help to bring the human rights abusing regimes into line." – Peter

"Without human rights there isn't humanity." – Andrea

"There but for the grace of God go I. (I am not religious, but that sums it up, as well as a lot of natural empathy.)" – Sarah

"Because I grew up in a family where my personal boundaries were not respected at all. And my basic rights as a human being counted for absolutely nothing. So this has sensitised me to



the plight of anyone who is treated this way, and in a system where this is not acknowledged as a crime.” – Gillian

“The rights enshrined in the Human Rights Act are fundamental as they are guarantees that no one living in a free democratic society should be required to forgo. Without this act we would be subject to the law as decided by a majority government at any particular time. Perhaps that is the aim, to deny particular citizens or groups of citizens their rights to suit government political authority.” – Andrew

“Human rights matter because they are so fundamental for protecting people against abuses. I am very worried about what this Government is doing, and have written to my MP expressing my concern about how Brexit, and the ERG/CRG coterie are trying to make a bonfire of all the protections, whether for human rights, asylum seekers, environmental and farming standards, and workers' rights. He replied with the usual platitudes which I have come to expect from him. It also worries me that the right-wing press have so much power, and prey on people's ignorance and prejudices.” – Jane

“That all people are treated fairly and humanely.” – Anthony

“I spent several months in Chile during Pinochet's dictatorship and saw the terrible consequences of human rights being abused. I have also volunteered with refugees and asylum seekers, as well as with people who were homeless and those living with mental health problems and I see the urgent need for the human rights of all people to be protected.” – Lorna

“We are one world in community, abuse and brutality imposed on groups or a people, threatens us all. And as Joe Biden has said, there is a world upsurge in non-elected, non-democratic rule!” – Chris

“As someone who is transgender, human rights are the very backbone of a civilized society providing basic protections for all and especially those of use in marginalized communities.” – Hannah

“In my profession of Independent Advocacy I have worked in a wide range of mental hospitals, care homes and in the community. The Human Rights Act is the keystone of protecting the liberty of those who are vulnerable. People who have been Sectioned under the Mental Health Act, and those who are too ill to consent to decisions about their treatment or where they are going to live, depend on the Human Rights Act to protect them from harm, abuse and exploitation.” – Ron



“Having lived for two years in South Africa during the apartheid era, I personally witnessed abysmal scenes where the human rights of the black community were totally ignored. Whilst there, I fought against it in whatever ways I could muster.” – Lynne

“Because there is a desperate need for fairness and compassion in our world.” – Geoffrey

“The Individual must have the right to live freely and peacefully, without persecution and to express their opinion.” – Crispin

“I have been a member of Amnesty then Amnesty International since the 1980s, writing for prisoners of conscience, imprisoned for the views they hold and express. Human rights are under threat in the UK. Look at the way the government expects leaseholders to pick up some of the bill for the cladding mess where regulation was lax, the bills for firewatch etc. Are they owners of the structure? We need a strong human rights bill which prevents governments watering down regulations in place to protect us all.” – Mary-Rose

“Why do human rights matter to me? Firstly, because I am a Baptist: a Christian denomination which, at its best, from the Reformation on has always made a stand for religious liberty as a human right – for themselves but also for those of other faiths. That in turn has led to an interest in human rights generally. We therefore followed with interest the civil rights campaign in America (Martin Luther King was a Baptist minister), the struggle against apartheid in South Africa, and those for religious freedom under the USSR and latterly in its former satellite countries. Through our church we have personally known a number of asylum seekers (variously from Belarus, the Cameroons, Iran, Estonia, Myanmar) and been actively involved in helping some of them. We were also shocked to see how the Home Office treated a Nigerian friend, here legitimately on a PhD course, who was nearly deported on a trumped up charge, until university and church intervened. Close friends – and the police – were active in rescuing and recovering the passports of Filipino women brought here as domestic slaves. We have seen most of these subsequently prove useful citizens in their own or their adopted countries.” – Faith

“I was born half Jewish and half Christian but was brought up the latter but still am always aware of my Jewish blood. The only time I ever hit anybody was as a boy when I heard another boy say that Hitler's attempted elimination of the Jewish race was the only sensible thing he did. I happen to come home from the West Indies on the Empire Windrush in 1948 and we know what happened recently to the black British West Indians on board. Two examples of why human rights matter to me.” – Bill

“It is quite obvious to me and many other people that the current Conservative Government despises any legislation which allows individuals or groups of individuals to obtain justice for



their complaints over which they have no absolute right to prevent them doing. It also appears that the Government assumes the word 'European' in any context is something to do with the European Union which of course the Human Rights legislation has not. If they are allowed to run roughshod over the Human Rights legislation and deny justice to those that need it most it will only be a matter of time before our country becomes a society solely dependent on the good will of those in power with no recourse to justice to fight for what they believe are their rights." – Charles

Published and promoted by Mike Dixon
on behalf of the Liberal Democrats,
8-10 Great George Street, London, SW1P 3AE.