

Summary of the Human Rights Act 2000

Human Rights Legislation exists to safeguard our rights in the UK and expand our awareness of the basic values and standards we share. Anyone in the UK for any reason has fundamental rights which government and public authorities are legally bound to respect.

The first human rights legislation was drafted after World War II by the Council of Europe and is called the European Convention on Human Rights. The Convention came into force in 1953 to ensure the cruelties carried out during the war were never repeated.

The Convention is made up of a series of short Articles; each Article is a short statement defining a right or freedom, together with any exceptions. These Rights affect matters of life and death, such as freedom from torture as well as rights which exist in everyday life. The Human Rights Act came into effect in the UK in October 2000. The Act enabled people in the UK to take human rights cases to court in the UK, whereas before they had to be taken to Strasbourg. There are 16 basic rights in the Human Rights Act, all taken from the European Convention on Human Rights.

Below are the Articles which make up the Human Rights Act:

- Article 1: This article is introductory and not included in the Human Rights Act
- Article 2: Right to life
- Article 3: Prohibition of torture
- Article 4: Prohibition of slavery and forced labour
- Article 5: Right to liberty and security
- Article 6: Right to a fair trial
- Article 7: No punishment without law
- Article 8: Right to respect for private and family life
- Article 9: Freedom of thought, conscience and religion
- Article 10: Freedom of expression
- Article 11: Freedom of assembly and association
- Article 12: Right to marry
- Article 13: This is not included in the Human Rights Act
- Article 14: Prohibition of discrimination
 - Article 1 of protocol 1 (A protocol is a later addition to the Convention): Protection of property
 - Article 2 of Protocol 1: Right to education
 - Article 3 of Protocol 1: Right to free elections
 - Article 1 of Protocol 13: Abolition of the death penalty

A more detailed explanation of these Rights is available on the website below:
http://www.direct.gov.uk/en/Governmentcitizensandrights/Yourrightsandresponsibilities/DG_4002951

However, the information below explains in more detail Rights that are relevant to people working in public authorities.

Public authorities have a duty to treat people in accordance with their Convention (law or standard) Rights and must not breach the Right's below unless there is a legitimate reason:

Article 8: Right to respect for private and family life

This Right states that everyone has a right to respect for their private and family life, their home and correspondence. People have the right to live their own life and have personal privacy.

Article 9: Freedom of thought, conscience and religion

This Right protects people's rights in relation to their thoughts and beliefs. The state is not permitted to interfere with a person's right to hold a particular belief.

Article 10: Freedom of Expression

This Right states that everyone has the right to express their views and receive opinions with out interference from a public authority.

Article 14: Prohibition of discrimination

This Right states that discrimination cannot occur on the grounds of particular attributes such as a person's sex, race, or religion. It also protects people from discrimination on the grounds of, for example, disability or marital status. A public authority should ensure policies and decisions do not involve any form of discrimination on any ground.

Protocol 1, Article 1: Protection of property

This article has three elements to it: a person has the right to a peaceful enjoyment of their property; a public authority cannot take away what someone owns and cannot impose restrictions on a person's use of their property. This article refers to possessions such as land, houses, leases and money.

Protocol 1, Article 3: Right to free elections

This Right means that people are entitled to free elections, which must be held at reasonable intervals and conducted by secret ballot. A public authority must respect the rights of voting individuals and ensure elections are conducted freely and fairly.

A public authority must always be alert to policies or actions that might interfere with these Rights. Any interference with someone's Rights must be justified and pursue one of the legitimate aims, which vary according to the Right and must be proportionate to that aim.

More information:

<http://www.equalityhumanrights.com/>