

# A British Bill of Rights



**Joe Powell, Chief Executive, All Wales People First  
Learning Disability Wales Conference**

**'Where do we go from here?'**

**Wednesday 16<sup>th</sup> November 2022**

# A brief History of Human Rights in the UK



Universal Declaration of Human Rights 1948



European Convention of Human Rights 1950

# The Human Rights Act 1998



# The Human Rights Act 1998



- Bring ECHR Rights into UK law
- Appeal Human Rights cases in the UK

# Why was there a Human Rights Act 1998?



1. Taking cases to court expensive
2. UK 173 cases in 21 years
3. Popular demand

# The Human Rights Act 1998



- To make sure Act of Parliaments compatible with Human Rights.
- Declaration of Incompatibility

# Human Rights Act 1998



Universal Declaration of Human Rights 1948



European Convention of Human Rights 1950

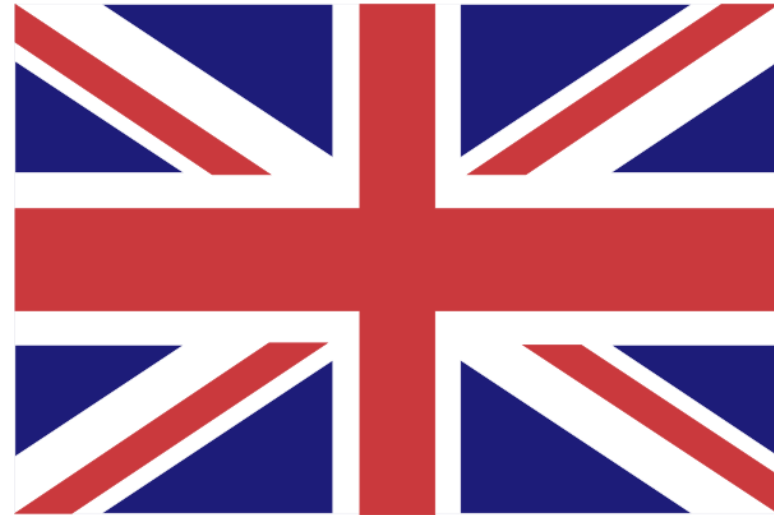


Human Rights Act 1998

# The British Bill of Rights



THE EUROPEAN CONVENTION ON HUMAN RIGHTS







*The Universal Declaration of*  
**HUMAN RIGHTS**

Adopted by the General Assembly of the United Nations in 1948, the Universal Declaration states basic rights and fundamental freedoms to which all human beings are entitled.

**WE ARE ALL BORN FREE AND EQUAL  
EVERYONE IS ENTITLED  
TO THESE RIGHTS  
NO MATTER YOUR RACE, RELIGION OR NATIONALITY**

**EVERYONE HAS THE RIGHT TO  
LIFE, FREEDOM  
AND SAFETY**

**You have the responsibility to respect  
the rights of others  
NO ONE  
CAN TAKE AWAY  
ANY OF YOUR RIGHTS**

zen pencils

No one has the right to hold you in slavery.

No one has the right to torture you.

You have the right to recognition everywhere as a person before the law.

We are all equal before the law and are entitled to equal protection of the law.

You have the right to seek legal help if your rights are violated.

No one has the right to wrongly imprison you or force you to leave your country.

You have the right to a fair and public trial.

Everyone is innocent until **PROVEN** guilty.

You have the right to privacy. No one can interfere with your reputation, family, home or correspondence.

You can travel wherever you want.

You have the right to seek asylum in another country if you are being persecuted in your own country.

Everyone has the right to a nationality.

All adults have the right to marriage and to raise a family.

You have the right to own property.

Everyone has the right to belong to a religion.

Freedom of Expression: You have the right to free thought and to voice your opinions to others.

Everyone has the right to gather as a peaceful assembly.

You have the right to help choose and to take part in governing your country, directly or through chosen representatives.

You have the right to social security and are entitled to economic, social and cultural help from your government.

Workers' rights: Every adult has the right to a job, a fair wage and to join a trade union.

You have the right to leisure and rest from work.

Everyone has the right to an adequate standard of living for themselves and their family.

Everyone has the right to education.

Your intellectual property as an artist or scientist should be protected.

We are all entitled to social order so we can enjoy these rights.

A Different Interpretation

# But we aren't in Europe?



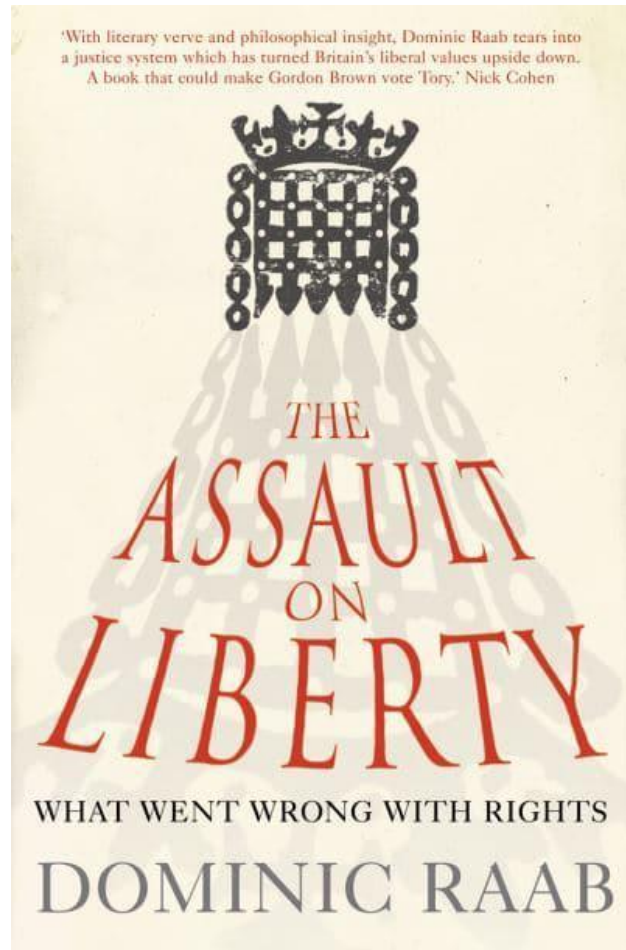
COUNCIL  
OF EUROPE

CONSEIL  
DE L'EUROPE

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# The British Bill of Human Rights



1. HRA gives European law too much power over UK law
2. HRA gives the courts too much power over Government
3. Rights inflations – common sense

# The British Bill of Human Rights



- Give government more power
- Take power away from the judiciary

# The British Bill of Human Rights



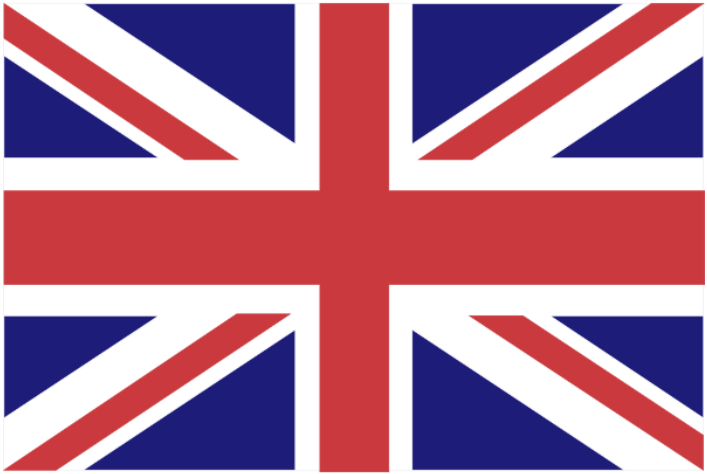
- Will stop checking new laws against human rights law
- Make it harder to appeal human rights decisions

# The British Bill of Human Rights



- Public bodies to not have to safeguard our Human Rights
- Reduce our right to private and family life.

# The British Bill of Rights



- Past behaviour may mean you are entitled to less human rights
- Make it harder to hold UK government to account (courts)

# Declaration of Incompatibility





# Positive Obligation

Government responsible for making sure something negative doesn't happen

Government should not cause something negative to happen

# Article 2 Right to Life ECHR

Government are positively obligated to  
keep you alive

Government can't interfere in  
your life and kill you

# **Freedom of expression**

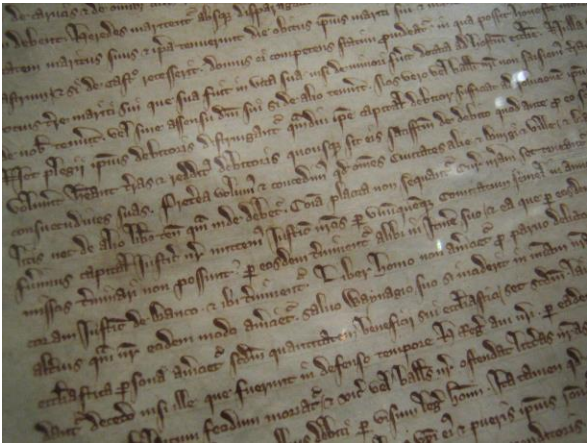
Demonstrate significant  
disadvantage

# British Bill of Rights

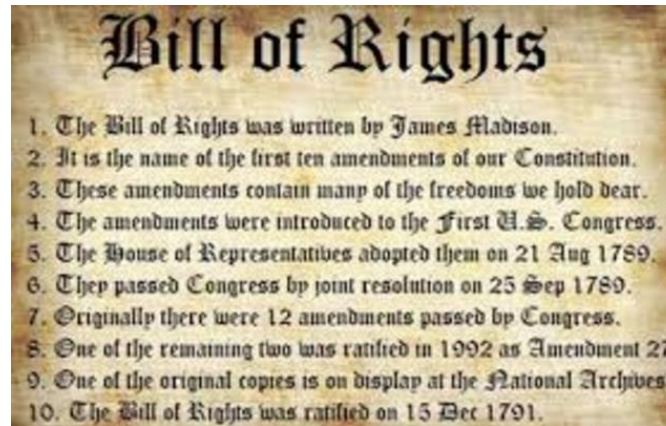


First democratic government in history to repeal its own human rights

# The Human Rights Act 1998



**Magna Carta -  
1215**



**1689 Bill of Rights**



**Human Rights  
Act 1998**

# Rights Removal Bill

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**BiHR**  
bringing rights to life

**LIBERTY**

# The Opposition parties position?



**SNP** 



# Why are AWPFF Concerned?



- Independent Enquiry concluded:

There was no need to change the current Human Rights Act

The Government still trying to pass it anyway



# Why are AWPFC Concerned?



- People with learning disabilities more likely to suffer human rights abuses than most people
- Benefit cuts – PIP

# Why are AWPFF Concerned?



- Cost of living crisis
- People with learning disabilities can't afford to take cases to European courts

# Why are AWPFC Concerned?



- Back log of cases in European courts mean it will take longer to get sorted
- Human Rights are there to make sure Governments do the right thing

# What AWPf have been doing?



- Worked with BIHR and others to extend the consultation deadline
- Worked with BIHR and others to get the consultation produced in Easy Read

# What AWPf have been doing?



- Spoke to members across Wales
- Shared information with members and groups

# What AWPf have been doing?



- Replied to consultations
- Wrote to all Welsh MP's

# What AWPf have been doing?



- Wrote to all party leaders in the UK Parliament
- Responded to the call to evidence (JCHR)

# What now?



- First reading 22<sup>nd</sup> June 2022
- Second reading 12<sup>th</sup> September - paused



# What now?



- Only the Justice Minister can withdraw the bill or
- The bill can expire if it is not picked up in this parliament

# What now?



- If it is picked up it goes to a second reading then...
- To the House of Lords

# What now?



- General Election no later than January 2025
- The next UK Government

# What you can do?



- Write to your MP
- Campaign

# Thank you for listening

