

The old, rich and  
poor. many  
individuals utilise

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The Human Rights Act is a UK law passed in 1998.

It gives you a chance to shield your rights in UK courts and urges public associations containing the Government, police and the council to treat everybody similarly, with decency, fairness and regard. The Human Rights Act secures every one of us - from the youthful and old, rich and poor. Many individuals utilise it to uphold their rights and accomplish equity consistently. Most countries have a written constitution for instance America have the bill of rights. A bill of rights, sometimes called a declaration of rights or a charter of rights, is fundamentally a list of the most imperative rights to the people of that country. The purpose of it is to protect those rights against infringement from the public officials such as government or police and private residents.

One example of the bill of rights is " Amendment 1 - Freedom of Religion, Speech, and the Press" This means that Congress cannot make a law which disrespects an establishment of religion or prohibits the free exercise of it, nor can they condense the freedom of speech or of the press, or the right of the people to peacefully make a petition to the government for a reimbursement of injustice. The bill of rights is entrenched; entrenched rights can be defined as rights which are safeguarded by the Constitution. This means it is protected and stops the government from abusing power. These rights have a special rank and are exempt from change.

The United Kingdom's legal system doesn't have any entrenched rights or values; this means that If we have a 51% majority in parliament we can get rid of The Human Rights Act because it is not entrenched. Contrary to this,

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the European Convention on Human Rights and Fundamental Freedoms (ECHR) 1950 was generated by the Council of Europe. The Council of Europe was set up after the Second World War to protect human rights and to encourage democracy through Europe. They additionally done this to stop another devastation like the second world war and to never allow the genocide or holocaust to occur again. The rights contained in the ECHR are put into articles. There are many articles, however the 5 key rights which are contained are: Article 2: " Right to life"; the Right to life is that everyone's right to life is protected by law. Meaning, no one is to be deprived of his/her life intentionally.

By law It also means the government should take suitable measures to protect life by making laws to protect you, this is most important.

Alternatively, another key right is Article 3: " Prohibition of torture" this means it protects you from torture both mental or physical it also guards you from deportation or extradition. Correspondingly, another key right is Article 4: " Prohibition of slavery and forced labour"; Article 4 protects your right to not to be held in slavery or subordination, or made to do forced labour.

Slavery is when someone essentially possesses you like a piece of property and forced labour means you are involuntary doing work that you have not agreed to because you are under the risk of abuse. Likewise, Article 6 protects your right to a fair trial" this means that You have the right to a fair and public trial or hearing if: you are indicted with a criminal offence and must go to court, or a public authority is deciding a verdict that has an impact on your civil rights. Finally, " Article 8 protects your right to respect for your private and family life" This article safeguards your right for the

government to respect your private life, your family life, your home and your communication such as letters, telephone calls and emails. You have the right to live your life confidentially without government intrusion. The European Court of Human Rights is a legal body ensuring the rights are protected in the European Convention on Human Rights for everyone under the jurisdiction.

There has been a Court since 1 November 1998 which is in Strasbourg (France). The ECHR has had an impact on the courts in the UK and has affected the UK Human Right Laws. For instance, the ECHR wanted the ban lifted on prisoner voting, they wanted the UK to potentially do something about it. The ECHR did not like the simple ban of anyone in prison not being able to vote, they can accept that some people are unable to vote if they have committed serious crimes however the view that all prisoners being unable to vote was deemed as a " violation of the right to free elections" (Guardian, October 2017) due to this it has been noted that short-term prisoners may finally be permitted to vote in elections. Equally, another case where the UK laws have been affected is the case of Abu Qatada (2012) who was granted asylum in the UK after being tortured in his native country Jordan. What occurred was that he was given life imprisonment in his home country, so the UK ideally wanted to deport him, but the problems were that the evidence used to incite him were brought about through torture and that there was a high serious risk that he would be tortured once returning to his native.

They could not deport him because it would be a clear violation of the European Convention of Human Rights: Article 3. It is known that approximately 90% of the cases in the UK comply with the ruling of the European court of human rights. The Human Rights Act and the obligations of the judges have been impacted in the UK. For example, a prisoner was denied the right to contact his solicitor in 1969, what occurred was a prisoner was stopped from writing a letter to his solicitor.

He wanted to make a libel claim against a prison guard. He won his case. Not being allowed to contact a solicitor was a violation of the right to a fair trial. Therefore, the law was changed in 1977, and prisoners are now allowed to write to their solicitors. Another case where the law was reformed was in 1989 where Mr Goodwin who was a journalist was convicted of hatred of court for refusing to reveal a whistle-blowing source for a story. It was unjust to punish a journalist for doing their job to defend marketable interests.

After this judgment, the law was changed to better protect liable research for journalism. This specific case violated Article 10: The Freedom of Expression. Also, in the case of A V UK where a stepfather beat his stepson with a cane, which resulted in the stepson having some bruising. The court said it was inhumane and degrading to do so, thus changing the law and making it a law that you cannot beat up your child. This occurred in 1996, this happened due to the fact that it violates Article 3: Prohibition of torture. The courts were given much more power than before to hold the government and public bodies to account due to the Human Right Act 1998. Judges can now make rights enforceable in the UK courts rather than previously travelling to

Strasbourg. The task is a new one for judges as they will now be requested to give effect to the bill of rights.

Judges can also now make a declaration of incompatibility. A declaration of incompatibility is a declaration released by judges in the United Kingdom in which they consider the terms of a law, or act of a public authority, which are conflicting with a UK obligation under the Human Rights Act 1998, can now be changed and incorporated to the European Convention of Human Rights and then made into a UK law. This is Parliament is sovereign therefore courts can't strike out law, there must be a vote, Due to this factor people were also given a sense of power, it is relevant that people can now argue articles of the Human rights act in UK courts which they couldn't do before.

The actual impact that the Human Right Acts has had on UK laws is the incorporation of both ECHR and HRA. For instance, the case of Dudgeon V United Kingdom (1981). What occurred was the fact that male homosexual acts were deemed as criminal in Northern Ireland, in which it would be punishable by imprisonment, even under circumstances where both parties were in private or gave consent.

In 1981 a man called Jeff Dudgeon who was a gay man in Northern Ireland was questioned for his sexual activities. The European Court of Human Rights deemed this as a violation of his private life, this is because a person's sexual activities are the upmost intimate part of someone's life. This led to a change of the law as it was no longer inappropriate to treat homosexual activities as a criminal law. The European Court of Human Rights protected this man's rights and made it so that Northern Ireland had

to permit consensual male homosexual acts. More so, in the case of R(RH) V MHRT, North and East London Region 2001 it is about a man who is schizophrenic and is in a mental hospital, where he is placed in confinement. The law argues that he can only be discharged if he can prove he is ' of sound mind' but it is almost impossible for H to do so when he has been placed in confinement in such a condition.

The judges argued that it is not fair for a man to prove his health to come out to be allowed back into civilisation. They argued that it should be " those in charge who should distinguish that the patient may cause a threat to themselves or those around them". This case paved way for people with mental health patients, by now giving them " the right not to be locked up with the burden on them to later prove their sanity". In conclusion, the ECHR has impacted many people and protected their rights. I believe it is a positive factor to the UK Law system, and promotes justice for the people.