People will not be fooled by the Government's Anti-Rights Bill

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Today the Government has published its Anti-Bill of Rights, the latest step in plans to reduce their responsibilities to uphold the human rights protections people rely on every day across the UK.

Commenting on the publication of this new proposed bill of rights, Sanchita Hosali, CEO of the British Institute of Human Rights said:

"Everyone in the UK, wants to be able to live with dignity and respect, where those who hold power follow the rules; this is what our law, the Human Rights Act, helps secure. Sadly, what we now face is a UK Government intent on ripping up the rulebook."

“Rather than championing our human rights protections, this new anti-rights bill is a power grab from the Government. Unsupported by the evidence of people across the UK, and in direct opposition to the findings of the Independent Review it set up, which concluded there was no case for replacing our Human Rights Act.”

“The Human Rights Act has worked well, serving its purpose to provide legal protection for everyone's fundamental rights, here at home. In schools and hospitals, local councils and national departments, courts and care homes, people are benefitting from the protection of our human rights in everyday ways that do not grab headline, but which do make a difference.”

“Now more than ever, as we face a cost of living crisis, so many more of us will be driven into needing the safety net of human rights. Yet the Government is whipping it away in favour of a law that gifts rights dependent on whether people have the fear or favour of those in power. These are not the actions of a government that respects human rights, or indeed the value of law, order, and justice.”

“In a democracy that values rights and the rule of the law any self-respecting government seeking to change our human rights protections would only be doing so to improve them, and they would want the fullest possible parliamentary scrutiny of their plans. This government has said that it will neither allow pre-legislative scrutiny of its proposals, and nor, we can confirm through a BIHR FOI request, will it publish the twelve and half thousand responses to its consultation. These are not the actions of a transparent government that welcomes democratic debate and freedom of speech.”

“People and power, that's what our Human Rights Act is about, and it's what this Government's plans to reduce our protections are about - weakening our rights and reducing their responsibility to us. Every single day people rely on our Human Rights Act, because we know this world isn't perfect. Working with 1000s of people each year, including public officials, we know people won't be fooled by this power grab by the Government.”

“People won't be fooled by the popularist attempts to justify reducing our rights by references to those the Government think will be considered "undeserving". People won't be fooled by the Government's attempts to dress up a new law that lessens their accountability to us, as something positive by calling it a bill of rights. We all know rules matter, not just the rules the Government wants to play by, but the rules that make sure we can hold them to account for treating us with dignity and respect. People won't be fooled; we know that our Human Rights Act matters every day, to everyone, and that's why it must stay.”

Why our Human Rights Act matters to Kirsten, a single parent of an autistic son

Kirsten’s son was held in mental health hospitals from age 14 to 18 and subjected to restrictive practices, including mechanical restraint and long periods in seclusion.

“I used to wonder if he called for me, if he wished I was there to help him. When I knew he was in seclusion I wanted to sleep on the kitchen floor, I couldn’t bear my comfortable bed or my sofa, the TV or my book. Because I knew he was alone in the dark and I wasn’t there for him.

The Mental Health Act gave legal powers to put my child in a seclusion cell for weeks at a time. It gave

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powers to put my child in metal handcuffs, leg belts and other forms of mechanical restraints. It gave powers to transport him in a cage from one hospital to another. My child was not a criminal, he was in distress, frightened and alone. The Mental Health Act gave powers to deny contact between us, to take away his mobile phone, access to a computer, his contact with the outside world.

As a parent, the Human Rights Act gave me the legal framework to challenge decisions. This was so important for me as a parent facing the weight of professionals who seemed to have so much power over my life and my son's life. I used the Human Rights Act to make timely and meaningful change to my own son's care and treatment. Some of the challenges I made led to my involvement in changing national policies, particularly around the use of seclusion and segregation with children. I'm now proud to be involved in designing and delivering human rights training to staff working within children's mental health inpatient settings."

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NOTES

- The British Institute of Human Rights is a national charity working across the UK to achieve social change through human rights by working directly with people, communities and public bodies to change practice and amplify this evidence of human rights in action to influence policy. www.bihr.org.uk

- For a spokesperson, please contact Sanchita Hosali, CEO on shosali@bihr.org.uk (out of hours: 020 3039 3648) or Carlyn Miller, Head of Policy and Programmes on cmiller@bihr.org.uk

- For information about our Freedom of Information request to the Ministry of Justice confirming that the Government will not be publishing the public's responses to the bill of rights consultation, please contact a BIHR spokesperson.

- See here for BIHR's positions, evidence, and responses, including: Short briefings on key concerns with the Government's proposals and BIHR's evidence to the Government consultation, informed by over 200 people

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