

The Rt Hon Boris Johnson MP
Prime Minister
10 Downing Street,
Westminster,
London
SW1A 2AA

May 18, 2022

Dear Prime Minister,

Human Rights Act & Proposed Bill of Rights

We the undersigned represent Charities and organisations who have supported millions of people to have their rights upheld and voices heard through advocacy, information, and advice since the Human Rights Act was introduced.

The UK has and continues to be a leader in the development and contributor of human rights law over the last hundred years. Since joining the European Convention on Human Rights (the Convention) we have been bound to comply with its provisions. The Human Rights Act brought rights home and created an important obligation for public authorities to comply with ECHR.

The Human Rights Act commits public authorities to comply with the European Convention of Human Rights in their policies, procedures and decision making. As advocates we see the positive impact Human Rights Act has had on the people we support through our charitable work.

Without the Human Rights Act, the modern advocacy profession might not exist with the same powerful impact or independent scrutiny. The Human Rights Act is at the epi-centre of a framework of rights and entitlements complemented by the Equality Act, Care Act, Deprivation of Liberty Safeguards, Liberty Protection Safeguards, Mental Health Act, Mental Capacity Act, related legislation in the devolved nations and Safeguarding.

Thanks to the Human Rights Act as advocates, we are able to independently challenge public authorities that support us in our everyday lives.

We help people to live as equal people through the cases we manage to have their human rights upheld in public services.

Advocacy is one of the many ways in which people can be supported and empowered to uphold their rights and entitlements, be provided with choices and options, and safeguarded from harm and abuse. An advocate can help a person to:

- speak up for themselves or give their views
- understand the process they are going through, their rights and what choices are available to them
- be part of an important decision which is being made about them

- prepare for and take part in meetings and tribunals
- raise queries or concerns
- access information in the format which is most suitable
- access services that can support them

Advocates can also provide information and signpost people to other helpful services. Our intervention often means people do not need to access justice through the courts or legal pathway as our intervention empowers people and protects their human rights.

The current laws protect everyone in the UK no matter who they are or what their own situation may be. The proposed reforms would significantly reduce the legal responsibilities the Government currently has towards us and diminish mechanisms for our collective Charity beneficiaries to hold public services accountable and to be treated as equal people.

The proposed Bill of Rights would offer opt-outs to public authorities to pick and choose whose rights they supported and if/when they supported those rights. Many of the people we support are socially excluded, vulnerable and/or marginalised.

To focus this consultation on just a few minor legal technicalities and procedural nuances is diminishing the wider role the HRA 1998 plays to support people in everyday life and enable them to live as dignified people. Without HRA 1998, there would be no clear rulebook to govern expectations of conduct when dealing with public services such as Statutory Bodies, Local Authority, Prisons, NHS, DWP, Immigration, Housing and Coroner Service.

We believe the changes proposed are detrimental to our beneficiaries and would remove independent scrutiny of public services and the important role of advocacy.

We are calling on a wider study and equality impact assessment to understand the realities on the wider UK population, requesting for a meeting to share case studies and evidence on how HRA benefits the people we support every day through public authority independent scrutiny and mitigates often wider escalations in the legal process. Scrapping HRA would be detrimental to our beneficiaries, public authorities and wreak havoc with framework of other intersecting rights laws and codes of practices.

Our society remains unfair and unequal – the millions of people who sought support through our Charities should serve as significant reminder that the Human Rights Act 1998 and other protection laws are not currently being necessarily always upheld by local and central government bodies. Independent scrutiny, challenge, and freedom for people to empower themselves is a fundamental part of our society and democracy.

Yours sincerely,

Helen Moulinos, Chief Executive, POhWER

Jo Moore, CEO, Accommodation Concern
Peter Walsh, Chief Executive, Action against Medical Accidents (AvMA)
Mr Abe Ncube, Advocacy 1st, Community Connex
Jamie Renton, Chief Executive, Action Disability Kensington & Chelsea
Leanne Hignett, Service Delivery Director, Advocacy Focus
Elssa Keegan, CEO, Advocacy Matters
Judith Davey, Chief Executive Officer, The Advocacy Project
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Philip Kerr, Carers Federation
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