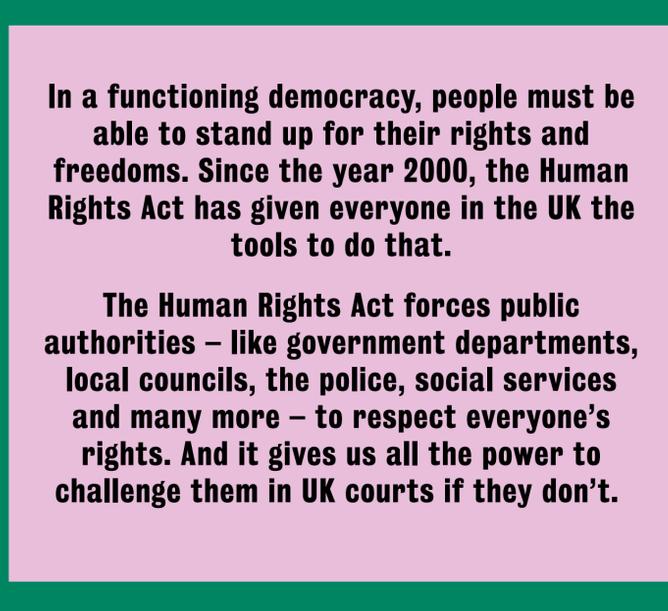


I KNOW MY RIGHTS

LIBERTY'S GUIDE TO THE HUMAN RIGHTS ACT



In a functioning democracy, people must be able to stand up for their rights and freedoms. Since the year 2000, the Human Rights Act has given everyone in the UK the tools to do that.

The Human Rights Act forces public authorities – like government departments, local councils, the police, social services and many more – to respect everyone's rights. And it gives us all the power to challenge them in UK courts if they don't.

THE RIGHT TO LIFE

The Government must take steps to protect our lives.

For example, this means making laws to protect us from harm and, for instance, the police taking action to protect a life that is known to be at risk.

The right to life also means that suspicious deaths must be properly investigated.

FREEDOM FROM TORTURE, INHUMAN OR DEGRADING TREATMENT

Nobody should ever be tortured (mentally or physically) or treated in an inhuman or degrading way, no matter what the situation.

This is an absolute right. Torture can never be justified.

The Government must make sure torture never takes place – and carry out proper investigations of alleged torture.

FREEDOM FROM SLAVERY AND FORCED LABOUR

No one must ever be enslaved or forced to work against their will.

It can never be lawful to enslave someone.

The State must always properly investigate suspected enslavement and forced servitude or labour.

RIGHT TO LIBERTY

We have the right to our literal 'freedom'. No one should be imprisoned or detained without good reason – for instance committing a crime that carries a prison sentence.

If we are arrested or detained, there must be strong legal safeguards in place to protect us.

RIGHT TO A FAIR TRIAL

We are always innocent until proven guilty.

If we're accused of a crime, we have the right to hear the evidence against us in a court, in public, with an unbiased judge and in a reasonable amount of time.

Everyone also has the right to be helped by a lawyer – and, if we can't afford one, the State will sometimes have to pay.

NO PUNISHMENT WITHOUT LAW

No one can be charged with a criminal offence for doing something which was not against the law at the time they did it.

Public authorities must make clear which actions are criminal offences so we all know when we're at risk of breaking the law.

RIGHT TO RESPECT FOR YOUR PRIVATE AND FAMILY LIFE, HOME AND CORRESPONDENCE

Nobody should be able to secretly watch what we're doing, read our private letters, messages or emails or listen to our phone calls without good reason.

We also have the right to enjoy a family life in the way we choose. We have the right to have relationships, not be separated from our families and be able to stay in touch with family members if we're split up.

HAVE FREEDOM OF THOUGHT, RELIGION AND BELIEF

We all have the right to our own religion or beliefs and to practise these without discrimination.

We also have the right to have no religion.

FREEDOM OF EXPRESSION

We all have the right to hold our own opinions and share them – in conversation, posting on the internet, speaking on TV or radio, creating art, and so on.

We also have the right to ‘receive’ the views of others.

We have this right even if the opinions are unpopular or could upset or offend others.

But it may be lawful for the State to restrict free expression to protect people’s safety or prevent crime.

FREEDOM OF ASSEMBLY AND ASSOCIATION

We all have the right to come together with others to express our views. This right protects our ability to protest and join marches and demonstrations.

We also have the right to set up or join a political party or trade union.

RIGHT TO MARRY

As long as we’re legally old enough, consenting couples have the right to marry and to raise a family.

This right can be restricted according to national laws on marriage – for example, making marriage between close relatives unlawful – but any restrictions must be reasonable.

FREEDOM FROM DISCRIMINATION

Everyone’s rights are equal.

No one should be denied their rights or treated differently when attempting to enforce their rights because of their gender, age, race, religion or beliefs, nationality, sexual orientation, disability or anything else.

PROTECTION OF PROPERTY

The things we own belong to us, and we have the right to enjoy them if we are not bothering anyone else.

Public bodies cannot take them away or tell us how to use them without good reason.

THE RIGHT TO EDUCATION

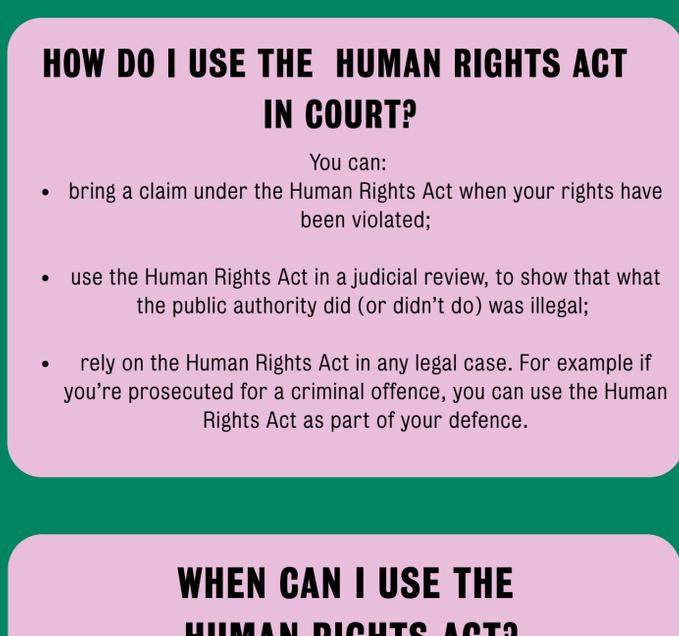
All children and young people have the right to go to school and have an education. Public authorities must do everything it can to help them do so.

We are all entitled to education without discrimination and can choose religious or private education if we want to.

HAVE THE RIGHT TO VOTE

The Government must hold regular free and fair elections with secret ballots.

Subject to certain conditions such as age and citizenship requirements, we all have the right to vote in elections and to choose who we vote for – and we have a right to stand for election ourselves if we want to.



HOW CAN I STAND UP TO POWER?

If you think a public authority has acted unlawfully or violated your rights, you may be able to challenge their decisions, actions, or inaction.

What is a public authority?

Public authorities include the Government, courts, and anyone else performing a public function, such as the police.

You can only use the Human Rights Act and judicial review to challenge the decisions, actions or inaction of ‘public authorities’.

You can do this by using these two crucial tools:

- Judicial Review
- The Human Rights Act

WHO CAN USE THE HUMAN RIGHTS ACT?

• Anyone on UK territory can use the Human Rights Act. It doesn't matter if you're a child or an adult, if you're a British national or not, or if you are in prison or not.

• People outside the UK: In rare cases, you can use the Human Rights Act if you are outside of the UK, but within the UK's jurisdiction.

HOW DO I USE THE HUMAN RIGHTS ACT IN COURT?

You can:

- bring a claim under the Human Rights Act when your rights have been violated;
- use the Human Rights Act in a judicial review, to show that what the public authority did (or didn't do) was illegal;
- rely on the Human Rights Act in any legal case. For example if you're prosecuted for a criminal offence, you can use the Human Rights Act as part of your defence.

WHEN CAN I USE THE HUMAN RIGHTS ACT?

• Last Resort: You should only bring a claim under the Human Rights Act once you have used any other available remedies. This includes making a formal complaint to the public authority.

• Note that you can still argue that your rights under the Human Rights Act have been breached as part of these initial complaints.

• Time Limit: You must bring a claim under the Human Rights Act within 1 year of the alleged violation, unless the Court decides it is fair for the claim to be brought later than this.

LEGAL REPRESENTATION AND FUNDING

• We strongly advise speaking to a solicitor specialising in human rights and civil liberties first if you are thinking about bringing a judicial review or a claim under the Human Rights Act.

• Legal aid funding is available for judicial review and Human Rights Act claims. Your lawyer will be able to assess your eligibility and otherwise discuss alternative funding options.

• Visit our page '[I need a lawyer](#)' for information on free legal advice, on how to find a lawyer and funding your case.



WE CAN'T DO THIS WITHOUT YOU

Every day, people's basic rights and freedoms come under threat. But together, we can create change.

By supporting our work, you're helping to challenge unfair laws, hold people in power accountable for their actions, and protect your family, friends and community when they're treated badly.

[Donate Now](#)

LIBERTY