



London Communities Human Rights Programme

STORIES OF A HUMAN RIGHTS-BASED APPROACH

justfair

The British Institute
of Human Rights



March 2024

INTRODUCTION

Across the UK, thousands of community organisations and charities are providing services and support that help people to access their rights: from therapy services that recognise and respond to diverse religious and cultural needs, to food banks supporting people to navigate the benefits system and claim support, to community partnerships and mutual aid networks that offer lifelines of essential support.

This resource is designed for civil society activists like these. It introduces 'rights-based approaches' and provides examples of when taking a human rights-based approach has helped organisations and activists to make change.

At BIHR and Just Fair, our work over many years has shown us that when civil society activists and organisations are supported to develop and use a human rights-based approach, they can build practical, real-world change.

Integrating a rights-based approach into policymaking, as well as the day to day running of organisations, ensures that standards are met for everyone: so that rights are respected, protected, and fulfilled.

In practice, taking a human rights-based approach means:

- shifting our campaigns and programmes from simply plugging gaps, towards fixing the holes.
- encouraging people to know and claim their rights - and making sure they have a say in decisions that affect them.
- prioritising those in our community who face the biggest barriers to realising their rights.
- holding authorities to account when they fall behind what is legally expected of them.
- supporting people to make the changes that matter.



WHY TAKE A HUMAN RIGHTS-BASED APPROACH?

Taking a human rights-based approach means using the principles of human rights to guide our policies, programmes and practices and to advocate when these aren't rights-based. A human rights-based approach can:

- **Empower people to know, understand and claim their rights** – informing communities about the systems, policies, and practices that impact on our lives.
- **Increase the accountability of individuals and institutions who are responsible for upholding our rights** – and further their ability to respect, protect and fulfil these rights.
- **Ensure that goods and services are available to all, and everyone is treated with respect and dignity** – by prohibiting, preventing and eliminating discrimination, e.g. on age, disability, race, ethnicity, sex, gender identity/recognition, religion or belief, sexual orientation etc. and prioritising the most marginalised, disadvantaged and discriminated against.
- **Increase participation in decisions which affect rights** – ensuring people have the power and capacity for autonomous action and that dialogue is meaningful.

WHAT CAN A HUMAN RIGHTS-BASED APPROACH LOOK LIKE?

There are many ways to put these human rights principles into practice and you may have seen the human rights-based approach broken down into acronyms like PANEL, FAIR and PANTHER. All have the same aim, providing slightly different ways of looking at the same ideas. We have outlined two commonly used approaches that work well in practice below.

FAIR

The FAIR approach, developed by the Scottish Human Rights Commission, can help you to put a human rights-based approach into practice by applying human rights principles and standards to your work, how you think through the issues that your community faces or new policies that may affect them, or how you monitor the impacts of your work.



Establish the **facts** - what is the situation? Who is affected and involved, and what are their experiences? Who should be consulted about the issue, and are people being heard when they speak out?



Analyse the rights - What rights and issues are at stake? If rights are being restricted, is this being justified?



Identify responsibilities - What changes are necessary and who is responsible for making these? This could include people like government, ministers, local councillors, local government teams, or social workers.



Record and review - When and how will the decisions be looked at, are those individuals affected by these decisions involved? And what happens if there are changes for the individual involved or situation.

There are many examples of working through the FAIR model on the Scottish Human Rights Commission and Scottish Care's, 'Care about Rights' resource here. There are many examples of working through the FAIR model on the Scottish Human Rights Commission and Scottish Care's, 'Care about Rights' resource here

Below is an example of using the FAIR model in practice. This model can be used by advocates supporting individuals to understand the process of human rights decisions or care staff who are considering human rights in their everyday practices.



MICHAEL'S STORY

Michael spent most of his life working in the mines in Lanarkshire. Well into his 80s he is now in a care home on the edge of the mining village where he was brought up. As a result, Michael is well known not just to the others in the home but by many of the staff whose parents and grandparents he knew. Michael is in poor health and as a result of his work suffers from emphysema and is breathless.

Michael has a daughter, Lisa, who moved away from home when she was 18, qualified to be a nurse but has now returned to the village after her retirement. She is a strong character and frequently takes over the tasks of the care staff and constantly inspects their work and support.

One day Michael asks to be supported to go to the toilet which the duty staff begin to respond to. Lisa insists that she will take her dad to the toilet. Michael begins to get upset and to starts to breathe more heavily and to get agitated. The staff ask Lisa to leave but she refuses saying that as a professional nurse and as a daughter she has the right to stay and make sure that they are looking after her father properly.

Case Study Worked Example – SHRC – Care about Rights
(scottishhumanrights.com)



Establish the **facts** – Michael has emphysema and is breathless. He does not appear to want his daughter Lisa to be there when he goes to the toilet.



Analyse the rights – What rights and issues are at stake? If rights are being restricted, is this being justified? Michael's right to privacy is at risk here (Article 8 HRA/ECHR). This can be restricted. The reason for the restriction is that his daughter wants to be present. This is not proportionate as it does not take Michael's wishes into account and is not necessary for his care.



Identify responsibilities – What changes are necessary and who is responsible for making these? This could include people like government ministers, local councillors, local government teams, or social workers. The care workers have a responsibility to respect and protect Michael's right to privacy, they must explain to the daughter that they cannot allow her to be present.



Record and review – When and how will the decisions be looked at, are those individuals affected by these decisions involved? And what happens if there are changes for the individual involved or situation. Care staff will now record what happened. That Michael was involved in the decision and that the decision as explained to his daughter. Michael may change his mind; in which case the decision should be reviewed.

PANEL

The PANEL principles are another way of breaking down the core principles of taking a human rights-based approach and applying them in practice.

- **Participation:** People should be meaningfully involved in decisions that affect their rights, able to access information in a way that is understandable to them. For example, providing an Easy Read version of an information leaflet about a new service.
- **Accountability:** There should be monitoring of rights that are being affected, as well as remedies when things go wrong – whether this is laws, policies, or administrative procedures. For example, ensuring transparent complaint and follow up process which people can take part in, raising rights issues and importantly be heard.
- **Non-discrimination:** Nobody should be treated unfairly because of their on age, disability, race, ethnicity, sex, gender identity/recognition, religion or belief, sexual orientation or other characteristics. Those who face the biggest barriers to claiming their rights should be prioritised. For example, making sure that all voices are heard when decisions are being made.
- **Empowerment:** Everyone should understand their rights and how to claim them. Individuals and communities should be supported to take part in developing the policies and practices which affect their lives. For example, providing information about rights as a standard part of your work and ensuring an environment where people can raise human rights issues.
- **Legality:** Approaches should be grounded in the legal rights that are set out in domestic, regional and international law. For example, all those with legal duties must ensure everything they do is grounded in human rights law.

Working through these five principles can help you to see where changes should be made – for example, if there is a need for more opportunities for communities to feed into decisions that affect them, you may wish to run a series of ‘town hall meetings’.

Whichever acronym you choose the important thing to remember is that human rights are a process, as well as a destination: the aim is to put the values of human rights at the centre of the work itself, not just the outcomes. Embedding a human rights-based approach will always be an ongoing process, but assessing your practice against human rights principles may help you understand what you could prioritise going forward. Far from a simple academic undertaking, taking a human rights-based approach in your work can result in producing creative outputs such as toolkits, games, resources, or compiling a new project which leads to positive change for your community.

HUMAN RIGHTS-BASED APPROACH IN PRACTICE

At BIHR and Just Fair, our work with individuals and communities focuses on enabling people to use human rights-based approaches to bring about change in their own lives, while strengthening the agency and voice of community groups and activists to address social justice issues using human rights advocacy. Below we outline some examples of where community groups have embedded human rights-based approaches into their work.

CO-PRODUCED EASY READ POSTCARDS



In 2021, BIHR worked alongside Warrington Speak Up who are a free independent advocacy service based in the North West of England. They have a team of professional advocates who support people with care and support needs to have their voice heard (self-advocates). BIHR worked with the self-advocates to create accessible human rights resources so that they felt more confident to use the language of human rights within self-advocacy.

You can [view the Easy Read postcards here](#).

A HUMAN RIGHTS APPROACH TO SUPPORT CHILDREN'S IMPACT ASSESSMENTS



Together are an alliance of Scottish children's charities that works to improve the awareness, understanding and implementation of the United Nations Convention on the Rights of the Child (UNCRC). Together worked with BIHR to develop a clear and accessible tool to support their members with Children's Rights Impact Assessments. The tool is also useful for duty bearers and support a wider understanding of impact assessments.

You can [access the Together resources here](#).

A HUMAN RIGHTS APPROACH TO EMPOWER AND SUPPORT WOMEN FROM BLACK AND MINORITISED ETHNIC COMMUNITIES

Hopscotch Women's Centre are based in Camden, London and provide a range of services to empower, support and advocate for women. They specialise in working with women from Black and minoritised ethnic backgrounds, women facing multiple barriers and women with multiple and complex needs, providing a wraparound service, trauma-informed service. They also provide care at home through their homecare service.

Hopscotch worked with BIHR to support staff and people accessing services be more confident in using human rights.

You can [access the Hopscotch resource here](#).



"Working with BIHR has enabled us to reflect on our work as a community organisation and to locate this work within a human rights framework. The guide is an inspiring outcome which supports our staff members to take a

human rights approach when they work with service users to ensure they access their rights."

- Isabelle Terrisson, Head of Programmes at Hopscotch

USING HUMAN RIGHTS AS A TOOL FOR ADVOCACY



Room to Heal supports refugees and people seeking asylum who are torture survivors to rebuild their lives in exile, through an integrated programme of therapeutic and casework assistance in the context of a community of survivors. Room to Heal are based in London.

Room to Heal worked with BIHR to develop accessible human rights information for Room to Heal members and staff so that they feel confident to use the language of human rights in their interactions with public services.

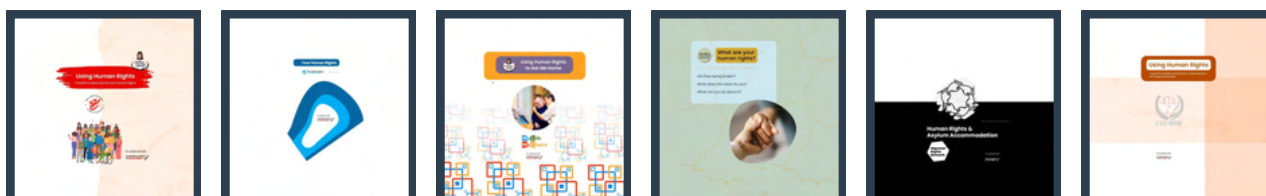
Developing a resource with Room to Heal involved ongoing dialogue between BIHR and Room to Heal with coproduction and the panel model at the heart of this work. Responding to the needs identified by the people Room to Heal supports, the guides were produced in English, Albanian, Amharic, Arabic, Farsi, Kurdish and Tigrinya.

You can [access the Room to Heal resources here](#).

BIHR'S NEW HUMAN RIGHTS SOLUTIONS LAUNCHED IN JANUARY 2024

In 2023/24 BIHR have been working with six more community groups to create human rights solutions using a human rights-based approach. These include focus areas such as poverty, learning disability, mental health and trauma, migrants' rights and fair treatment in the justice system. Across these resources you can find a range of tools including, real life stories and how to link experiences to human rights law, worked through examples, flowcharts for action, template letters, and more support on identifying and raising human rights issues. You can click on the images below to access the resources:

- [All Wales People First](#): A self-advocacy umbrella body for people with learning disabilities across Wales.
- [All Together Dignity & Fourth World UK](#): An anti-poverty human rights organisation working on the Young Voices Project led by young people with experience of poverty and social services interventions.
- [My Life, My Choice](#): A self-advocacy organisation based in Oxfordshire and entirely led by people with learning disabilities.
- [Families in Trauma & Recovery](#): A peer-led mental health organisation that offer training and one-to-one support.
- [Migrants Rights Network](#): A campaigning organisation that fights for the rights of migrants and equality and justice.
- [Fair Justice System for Scotland Group](#): A grassroots-led legal charity based in West Calder advocating for greater racial equality and diversity in the Scottish justice system.



HUMAN RIGHTS: NOT A GAME

In 2021-22, Just Fair ran a community research project with four activists from grassroots organisations. The group worked to understand what economic, social and cultural rights mean in their communities, and explore if and how a human rights-based approach could add value to their activism.

Throughout the project, the group returned to the need for the public to claim 'the right to talk about rights. Across England and other parts of the UK, human rights are often viewed as something for lawyers and for the international community, not something to think about when you cannot access public transportation or afford to feed your family in the UK. But these are rights concerns, and they need rights-based solutions. This means closing this gap and making rights accessible, so we can.

To own our rights, we must know them. To know them, we must talk about them. Talking about them mean helping people to recognise themselves and be recognised by others as key actors in matters that affect their rights.

Human Rights: Not a Game was designed by the Just Fair Community Researchers to reflect and further the learnings from this project: to introduce people to their rights and build a destigmatised space that encourage players to reflect on.

In playtests across the UK, it became clear that spaces in which we can claim 'the right to talk about rights', to exert ownership over our rights, and talk about them as tools are lacking.

The idea of gamifying the work of human rights education and engagement is not a new one, but taking a human rights-based approach to the work led the Community Researchers to build something unique, grounded in the needs of local communities and the power of grassroots action.

The response to Human Rights: Not a Game from other activists and organisations working for social change has been immediate – players have reported that it fills a gap in the organiser "toolbox" in being an accessible tool that encourages people to speak about their experiences in terms of rights and get to the heart of issues that matter to them.

You can [find out more about the Human Rights: Not a Game project, and get a copy for yourself, here.](#)

In September 2023, Just Fair and Human Rights Watch released a report on the experiences of children and their families seeking asylum in the United Kingdom, who increasingly face inadequate living conditions in government-provided temporary housing, affecting their health, well-being, and access to education.

Our 100-page report, “‘I Felt So Stuck’: Inadequate Housing and Social Support for Families Seeking Asylum in the United Kingdom,” found that families seeking asylum face inhumane conditions in temporary housing, including rat infestation and mould.

Just Fair interviewed over 100 people for the report, finding that families experience daily struggles to get food their children can eat, as well as mental and physical health problems and serious disruptions to their children’s education. The conditions are due to longstanding policy failings, including an inefficient and under-resourced decision-making system, and fall short of international standards outlined in law.

Though reports like these are incredibly valuable in advocacy and campaigning, some activists and campaigners find them inaccessible due to the time or energy required to sift through 100+ pages of reporting. This can be especially true for those with direct experience of the asylum system and those groups and organisations or working directly with them.

With this in mind, in October 2023 Just Fair launched a resource pack for activists and campaigners based on the full report. The resource pack organised the information on the five key economic, social and cultural rights highlighted across the report into dedicated fact sheets – increasing the accessibility of the content of the report.

In addition, the resource pack introduced what economic, social and cultural rights are, recognising that not everyone who read the full report might have this knowledge. It also provided a clear guide for talking to decision makers about the report’s findings and recommendations, including how to get in touch with MPs and local councillors, and a template letter to send.

To make the resource pack even more accessible, Just Fair hosted a specific training session on how to use it in October 2023. All this work was to support civil society activists to unlock and use the evidence gathered in the original report.

You can [find out more and read the full resource pack here](#).

FINAL THOUGHTS

Human rights-based approaches can take many forms.

What unifies them is their aim to treat people with fairness, respect, and dignity.

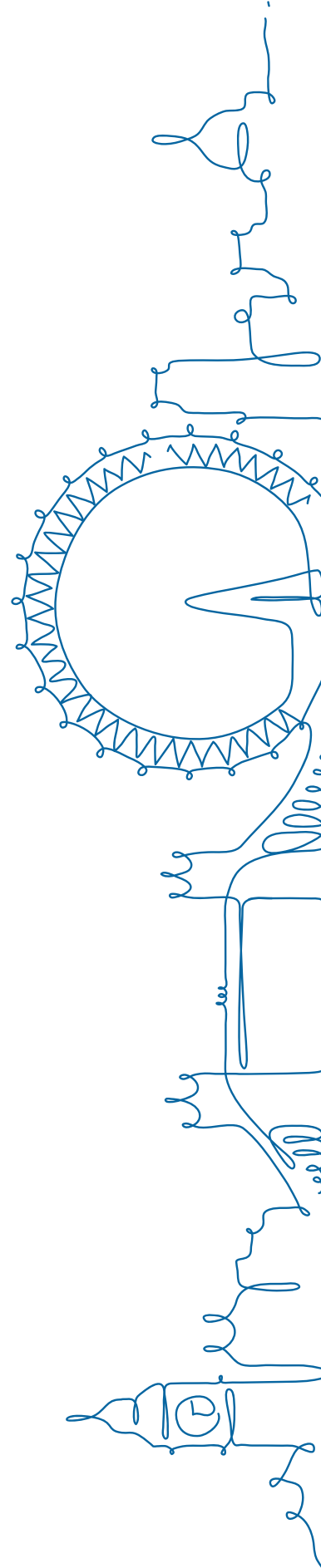
By placing people at the heart of programmes, policies and decision-making, we can help better respect and protect everyone's rights.

We hope that the examples outlined in this resource have stimulated you to think about how you could put human rights principles into practice and encouraged you to get creative with your programmes and approaches.

Just Fair and BIHR are here to help you as community organisations or individuals working with people accessing services to integrate a human rights-based approach into the work you do.

You can learn more about the rights we specialise in, and why we talk about rights, in the earlier sections of this report:

- What are human rights?
- The value of human rights



FURTHER READING

Community Programme 2022-2025

The British Institute of Human Rights' programme strengthening the ability of organisations to use human rights in their social justice work

The Route to a Better UK

Just Fair's 5 Principles of Economic, Social and Cultural Justice in the UK

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