



The British Institute
of Human Rights



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HUMAN RIGHTS SUPPORT SOLUTION

December 2024

Co-designed by the African Women Empowerment Forum & the British Institute of Human Rights

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This booklet contains real life stories of migrants and asylum-seeking women navigating public services in the UK collected as part a piece of research from AWEF:

“These stories collectively illustrate the multifaceted challenges faced by migrants, asylum seekers, and refugees in the UK. They reveal potential human rights issues, from family separation and privacy intrusions to discrimination, unsafe living conditions, and restrictions on work and possessions. These accounts underscore the urgent need for policy reforms and improved support systems to protect the human rights and dignity of these vulnerable populations.”

African Women Empowerment Forum

This guide is for information purposes only. It is not intended, and should not be used as, legal advice or guidance. The law referred to in this guide may have changed since it was published.

Published in December 2024

About this booklet

This booklet has been created in collaboration with the British Institute of Human Rights and the African Women Empowerment Forum. The aim of this booklet is to raise awareness for African women refugees, migrants, and asylum seekers in the UK with about their Human Rights under the Human Rights Act 1998 (HRA) so they can see how human rights are relevant to their everyday lives.

This booklet will help to:

- Understand your human rights and how they work in the UK.
- Understand some of the rights in the human rights act and how they relate to your everyday life.
- Provide practical information on raising a human rights issue with public services.

Who this booklet is for

This booklet has been created for women from African and ethnic minority groups and communities around the UK, including migrants, refugees, and asylum seekers.

Black and Minority Ethnic women and migrants, refugees and asylum seekers face multiple barriers to accessing public services and reporting crimes they have experienced due to heightened forms of shame, stigma, cultural and religious constraints, racism, immigration insecurities and lack of awareness of their human rights.

Human rights won't cover all issues that come up in our lives, but they will be important in lots of ways, especially when you are dealing with public authorities. We explain more about who public authorities are on pages 2 and 3 of this booklet.

Because our human rights are protected by law through the HRA you can raise these concerns with public authorities.

This booklet is about supporting you to start the journey of seeing where human rights laws cover the everyday injustices you may be facing in your interactions with public services. We look at how the law works, what duties are on public authorities and what rights may be especially important in your life.

There are 16 rights in the HRA. This booklet will cover five of these rights and will look at how they are relevant to issues such as discrimination, migration status, treatment in asylum accommodation, and treatment by public services such as police and public health services. You can learn more about your other rights on the BIHR website by scanning the QR code at the back of the booklet.

What is the law that protects your human rights: Our Human Rights Act

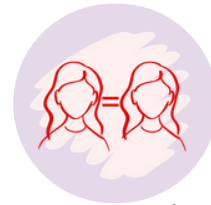
Human rights are our basic freedoms. They protect the things most important to us and our lives. Human rights make sure that people are:



Treated fairly



Treated with dignity



Treated with respect



Listened to and have a say over their lives

Human rights are more than just a nice idea. In the UK, our human rights are protected by a law called the Human Rights Act 1998. This law provides a set of minimum standards and places a legal duty on public bodies including the Home Office, NHS, local authorities, HMRC, Job Centre Plus, social services, and police services and their authorities to look after our human rights.

Human rights are 'universal' which means they belong to everyone – no matter who you are. It doesn't matter where you were born, what your nationality or legal status is, if you are in the UK, your human rights are protected by the Human Rights Act. If you are a migrant or seeking asylum in the UK, you have human rights the same as anyone else.

Human rights are about our relationship with public services and making sure that those who have powers to make choices about our lives are doing so in a way that considers our rights. Whilst human rights do not cover everything, including private companies, individuals, or employers, they do provide us with legal protections and accountability from public services when our rights are not being respected.

Whilst they can sometimes be limited or restricted, your rights cannot be taken away from you.

How our Human Rights Act works

The Human Rights Act works in three ways:

1. The Human Rights Act puts a legal duty on public authorities to respect and protect human rights across their actions, decisions, policies, and services.

2. All other laws should respect your human rights, as far as possible.

3. If 1 and 2 are not complied with people can now bring legal cases in the UK courts. But you don't need a lawyer to use the Human Rights Act. You can raise any human rights issues directly with public authorities.

Who has legal duties to uphold your human rights?

Public authorities have a legal duty under the Human Rights Act 1998 to respect, protect, and fulfil our human rights.



The **respect** duty means that public authorities must not do anything to unlawfully limit our human rights

For example, a public authority should not share your private information without your consent or a good reason



The **protect** duty means that public authorities should step in to protect you if they know that your rights are at risk. This is also known as safeguarding.

For example, if you are living in hazardous conditions due to poorly maintained asylum accommodation, public authorities have a legal duty to take action to address this.



The **fulfil** duty means that public authorities must investigate when something has gone wrong with your human rights to try and stop this from happening again.

For example, if you have been denied essential medical treatment because of your migration status, public authorities will need to investigate this to stop it from happening again.

What is a public authority?

Public authorities are the only people that have legal duties to respect, protect and fulfil our human rights. Public authorities are people or organisations that work for the government and do the job of the government. Examples of public authorities include:

- NHS workers
- Local authorities
- Social housing associations
- Police
- Schools
- The Home Office

Sometimes, private bodies work on behalf of the government. They only have duties to protect our human rights where they are performing their role in a public capacity. For example:

- A private doctor working for the NHS
- A carer from a care agency working for the NHS
- Private companies providing housing services, specifically for the Home Office.

Private individuals or organisations that aren't doing work for the government do not have legal duties to respect, protect or fulfil our human rights. Examples of people that do not have human rights duties include:

- Parents
- Friends
- Shop workers and managers
- Employers unless they are a public body like the NHS or the council

When can our rights be limited?

There may be situations where a public authority can legally limit some of our human rights, but they can never take them away. Even when they are lawfully limiting our rights, they need to show how and why they are doing this.

Some of the rights in the Human Rights Act 1998 are known as **absolute rights**. Absolute rights are rights that can never be limited lawfully. If a public authority places any restriction on an absolute right is unlawful and needs to be stopped immediately.

However, most of the rights in the HRA are **non-absolute rights**. Non-absolute rights are rights that can lawfully be limited so long as the public authority can meet each part of this three-stage test:

1 Lawful Public authorities need to show that there is a law which allows public bodies to make that decision that is limiting your rights.

For example, using someone's immigration status as a reason to deny them mental health care under the mental health act would not be a good reason for limiting someone's human rights.

2 Legitimate Public authorities need to show that the limitation on your rights is for a good reason, for example, to protect you or others from harm, or to protect the rights of other people.

For example, the Immigration and Asylum Act 1999 is a law that may allow for limitations of human rights, but public authorities need to show how they have considered your rights when making decisions under this law.

3 Proportionate Public authorities need to show that they are taking the least restrictive action possible in order to achieve the legitimate aim. This means that, even if they need to limit your human rights, they are doing so in a way that still respects your rights as much as possible.

For example, requiring people granted immigration bail to wear a GPS tag without regular reviews or without a clear purpose can be a disproportionate restriction of their human rights.

This is important to know because it helps you to think about how your rights are being looked after, for example:

- If a public body is limiting a **non-absolute** right, they need to be able to show you how that limitation has met this three-stage test. You can ask them to show you how the limitation is lawful, legitimate, and proportionate. If they cannot show you this, it is possible their action is not respecting your rights, so you can take further action.
- If a public body is limiting an **absolute right**, this may be unlawful as there is never any legal justification for limiting an absolute right. This means the public authority is required to take immediate action to stop limiting your absolute rights.

What does this mean for your human rights?

This booklet will provide an overview of your human rights and how they work. You can use human rights in your daily life to make sure that you are treated with dignity and respect. Having human rights means that you can:

- **Speak to public services** about whether they are meeting their legal duty to respect and protect human rights. You can ask them how they have considered each part of this three-part legal duty.
- **Speak up** because you have human rights which should be respected and protected. If you feel like a public authority is not considering your human rights, you can challenge this treatment and take action.
- **Work with services to find better solutions** without the need to go to court or use a lawyer. If a public authority fails to look after your human rights, you can seek free support to take legal action.

How you can use your human rights

Human rights are more than just an idea, they are something that we all have by law. We can use the language of human rights to make sure that public authorities that are making decisions about our lives are respecting our rights. The key things to remember when thinking about your human rights are:

- You have the same human rights as everyone else in the UK and there is a legal duty on authorities with public power to support your human rights in their actions.
- In accessing these human rights you have rights against non-discrimination, including on the basis of race, nationality, language and sex.
- Your human rights apply in the immigration process, but they also apply in many of the other situations where you deal with authorities such as NHS healthcare, state education, social housing, welfare benefits and the police.
- When authorities apply other laws and policies, they need to think about human rights law and the impact on your human rights when making any decisions about your life.
- Because human rights are the law that applies to public authorities, you can speak up and discuss this with them if you feel they are not respecting your rights. You can challenge decision-making without having to go to court.



The right to be free from discrimination

AWEF Testimony

The Human Rights Act says that we cannot be discriminated against on the grounds of race and colour, national and social origin, sex, language, religion and non-religious status, immigration status, health and disability status, family, parental status or other status.

The right to be free from discrimination is the right not to be discriminated against when you are relying on your other rights in the Human Rights Act. The right to be free from discrimination is sometimes called a **'piggy-back' right** because when one of your other rights is at risk, you can also raise your right to non-discrimination if you think that is an issue.

When you are using the Human Rights Act, you must be treated the same as everyone else. Examples of this not happening include:

- The state treating you worse than other people in the same situation because of your race, age, religion, sex, immigration status etc.
- The state not treating you differently when you are in a very different situation to others.

For example, refusing medical care because of your migrant status.

For example, not providing a translator when you might need it.

If a public authority can show that any differential treatment is **objectively and reasonably justified**, it will not be discrimination. This means that the public authority needs to show that this treatment is for a very good reason, such as the health and safety of an individual or others, or to protect the rights of others. They still must show how they are upholding human rights overall.

However, if a public authority cannot show that their differential treatment is for a very good reason, this treatment may be considered discrimination.

"People shared numerous experiences of unfair treatment based on their nationality, language proficiency, or immigration status, particularly when attempting to access public services. This treatment created significant barriers to integration and well-being.

"Healthcare access was notably affected, with reports of limited or denied services which some felt were discriminatory. In one experience, during her pregnancy period up until when she was in labour, one person's request to deliver at the time was refused. Such restrictions not only risked individuals' physical health but also contributed to heightened stress and anxiety. The impact of these experiences extended beyond immediate health concerns, affecting overall quality of life and sense of belonging in their new community."

"Language barriers can hinder access to services with some migrants reporting difficulties in accessing public services, understanding complex documents, and attending appointments due to language-related issues. This linguistic challenge often resulted in challenges in accessing to essential public services, as most refugees and asylum seekers often found themselves unable to effectively communicate their needs or understand their rights."

Putting these human rights into action

SK came to the UK with a three-year-old son and was allowed to stay as a refugee. She then got pregnant and applied for the Sure Start Maternity Grant (a £500 payment to help with the costs of a new baby). She was refused because the grant was only available to people having their first child, on the assumption that people having their second child would already have baby items. There are a few exceptions to this rule, but SK did not fit into any of them. However, SK argued that refugees who had a child before they came to the UK are unlikely to have brought baby items with them. They are in a different situation to most pregnant women, so not making an exception for them was a breach of the right to be free from discrimination (Article 14, HRA) as it was a discriminatory interference with their right to family life (Article 8, HRA). The Court agreed and women in SK's situation can now claim the grant.



The right to a private and family life, home and correspondence

The right to a family and private life, home and correspondence be relevant to your life in lots of ways. Importantly, it is about public authorities supporting our physical and mental wellbeing, involvement in decisions that impact our lives, and our family life and relationships. It has for four parts:

Your right to a **private life** includes your physical and mental well-being, your right to be able to make decisions about your own life, including where you go, and what you do. It also includes your right to have relationships and be part of a community.

For example, if an NHS doctor doesn't involve you in decisions about care you may be receiving.

Your right to a **family life** is your right to have ongoing relationships with your family, including partners, children, close friends, and foster families. This includes seeing them in person, calling or texting them, sending letters, and other forms of communication.

For example, if you are moved to asylum accommodation that is far away from your family.

The right to a **home** is not the right to housing, but it is the right to enjoy the home you are in, free from unnecessary intrusions by public authorities. Your home includes temporary, emergency, asylum or supported accommodation, hospitals and care.

For example, if you are in asylum accommodation and public services enter without warning or with unnecessary frequency.

The right to **correspondence** is your right to communicate with others in lots of different ways, such as in-person, emails, text, calls or letters, free from censorship by public authorities.

Can this human right be restricted?

The right to a private and family life, home and correspondence is a **non-absolute right**. This means that this right can sometimes be limited by public authorities so long as it is:

- 1. Lawful** – there is a law which allows public bodies to make that decision
- 2. For a legitimate aim** – it is for a good reason, like to protect you or others from harm
- 3. Proportionate** – is this the least restrictive action the public authority can take in that situation to achieve the legitimate aim? Even if a public authority needs to legally limit your human rights, they still need to do so in a way that still respects your rights as much as possible.

If public authorities can show that the limitation on this right meets each stage of this test, then the limitation may be lawful. However, if the public authority fails to meet even just one of these stages, the limitation may not be lawful, which means your human rights are at risk.

AWEF Testimony

"Language barriers can hinder effective communication with both family members and public services. A lack of adequate interpretation services can leave migrants struggling to understand complex documents, navigate bureaucratic processes, and maintain meaningful correspondence. This linguistic isolation not only impacted their ability to access essential services but also their capacity to maintain personal relationships and cultural connections."

"Privacy is a big concern, with reports of personal information being mishandled by public services. This is not only relevant to individuals' privacy rights but also exposed them to risks of fraud and financial difficulties. The right to privacy was also potentially at risk in one situation where public services mishandled personal information, leading to duplicity and financial hardship. In another example, a doctor shared someone's information without consent, further eroding her trust in the system."

"Someone was separated from her family for nine years due to the complexities of the immigration process. This prolonged separation led to a breakdown in communication and strained relationships, highlighting the profound impact that immigration policies can have on family units."

"One asylum seeker also recounted feeling unsafe in a rat-infested hotel, with a lack of support from authorities to address these hazardous living conditions. Such situations not only pose health risks but also contribute to a pervasive sense of insecurity and vulnerability among migrants and refugees."

Putting these human rights into action

Celine lives in London and has just got refugee status. She has to go to hospital for a couple of weeks. Celine has been learning English for a while, but is still not very comfortable using English, especially with the doctors who are using complicated medical terms. A doctor comes to give her the results of several tests she has had. Celine doesn't really understand what he has told her. She asks for a translator but is told that her English is good enough and she doesn't need one. Celine's friend visits her in hospital and tells her that she can use her human rights. They tell the hospital staff that this is impacting Celine's right to wellbeing and autonomy (part of the right to private and family life) as she cannot properly understand and talk about her treatment without a translator and that this is discrimination. The hospital staff agree and change their policy so that a translator is always offered to people who do not have English as a first language.



The right to peaceful enjoyment of your possessions

AWEF Testimony

The right to peaceful enjoyment of possessions means we have the right to enjoy the things we own or have possession of, without interference by public authorities.

This right may be relevant to you if:

- Staff in a public service confiscate personal objects as a form of punishment, such as staff in asylum accommodation taking away or damaging personal possessions.
- Policies on welfare benefits which have a worse impact on certain groups of people, such as migrants, or survivors of domestic abuse.
- If you are not getting welfare benefits you are entitled to because of language barriers or discrimination.
- Social housing or asylum accommodation providers failing to adequately maintain property which could result in serious harm to tenants.
- Interfering with your personal possessions includes controlling of your finances.

Can this human right be restricted?

The right to peaceful enjoyment of possessions is a **non-absolute right**. This means it can be limited by public authorities so long as it is:

- 1. Lawful** – there is a law which allows public bodies to make that decision
- 2. For a legitimate aim** – it is for a good reason, like to protect you or others from harm
- 3. Proportionate** – is this the least restrictive action the public authority can take in that situation to achieve the legitimate aim? Even if a public authority needs to legally limit your human rights, they still need to do so in a way that still respects your rights as much as possible.

Public services have a legal duty under the Human Rights Act to not interfere with your personal possessions unless they absolutely must for the protection or rights of others. If public services are interfering with your personal possessions, even if you are in asylum accommodation, they need to be able to show you how they have considered your human rights and have met all parts of the three-stage test. If they cannot pass the three parts of this test, then it is likely that they are risking human rights.

“The right to peaceful enjoyment of possessions is often relevant for migrants and refugees, as illustrated by several experiences. One participant elaborated on the fact that, the difficulties in navigating complex systems, coupled with potential discrimination and language barriers, significantly hindered her ability to maintain financial stability and manage her personal assets effectively.

“There have been instances of loss of belongings in asylum housing stated by several people living in temporary asylum accommodation. These experiences highlight the precarious position of asylum seekers and refugees in maintaining control over their possessions and financial independence, often due to restrictive policies and unstable living conditions.”

“Many migrants face significant challenges in accessing benefits due to immigration status and language barriers, limiting the ability to meet basic needs and maintain a stable life.”

Putting these human rights into action

K and AM were accepted by the Home Office to be Potential Victims of Trafficking and so entitled to £65 per week in financial support (minus any other money received from the Home Office) while their cases were ongoing. They were also seeking asylum and people seeking asylum were entitled to £37.75 per week in asylum support. K and AM were only given £37.75 per week so that they didn't receive more than other people seeking asylum – but this left them £27.25 short of the amount they should have been receiving as Potential Victims of Trafficking. The court said this was an interference with their right to possessions as they weren't getting financial support that they were entitled to. The court also said that treating Potential Victims of Trafficking in the same way as other people seeking asylum was discrimination under Article 14 because their circumstances were different and should be treated differently.



The right to be free from inhuman and degrading treatment

The right to be free from inhuman or degrading treatment protects people from being treated in a way that causes serious mental or physical harm or humiliation, including deliberate (abuse) and unintentional (neglect) harm. It means that public bodies have a duty to protect us if they know or should have known that we are at risk of very serious harm.

Inhuman or degrading treatment doesn't have to be deliberate or for a purpose - it can be caused by neglect or policies that apply to everyone. This part is especially relevant in everyday life and the experiences migrants and asylum seekers may have in health, care or education settings, with social services with the police or emergency services.

Examples of inhuman or degrading treatment include treatment that:

- Makes you very frightened or worried. Causes you a lot of pain.
- Makes you feel worthless, hopeless, or lesser than other people.
- Treatment which fails to account for past trauma.

Just because something doesn't seem inhuman or degrading to someone else doesn't mean it isn't inhuman or degrading to you. People have different experiences so something that may not seriously impact one person could be deeply distressing to someone else. Public services must consider your individual needs and experiences when considering this right

Some examples when your right to be free from inhuman and degrading treatment might be at risk include:

- Serious harm arising from a lack of care/support or self-neglect.
- Severe abuse or ill- treatment by others (which could include public body staff, police, the home office).
- Being left in asylum accommodation that is in disrepair, without basic amenities.
- If the police (or other public services) are not taking action or conducting a proper inquiry into behaviour that puts you at risk of severe harm.
- If you are being denied medical treatment that you need.

Can this human right be restricted?

The right to be free from inhuman and degrading treatment is an **absolute right**, meaning any limitation on this right is unlawful. This means that public bodies must:

- 1 Respect** – public authorities must not do anything to unlawfully limit your right to be free from inhuman and degrading treatment.
- 2 Protect** –public authorities should step in to protect you if they know that your right to be free from inhuman and degrading treatment is at risk.
- 3 Fulfil** –public authorities must investigate when something has gone wrong with your right to be free from inhuman and degrading treatment to try and stop this from happening again..

AWEF Testimony

"Many individuals experience significant emotional distress, anxiety, and uncertainty throughout their asylum journey when encountering public services. The process itself was characterized as dehumanizing, with many individuals feeling a loss of their dignity and sense of self-worth."

"The experiences shared by some reveal deeply troubling examples where the right to be free from inhuman and degrading treatment may be relevant. One example describes harrowing incidents of violence and destruction in asylum housing, which not only put their physical safety at risk but also inflicted significant psychological trauma."

"One person transitioning to asylum status faced not only practical difficulties but also a profound lack of support, leading to both mental and physical health issues. The absence of adequate protection and assistance from public services exacerbated her struggles."

"The degrading living conditions and loss of personal belongings during the asylum process further exemplify the risk of inhumane treatment many migrants may endure. One person emphasized how the asylum process itself can feel dehumanizing, as they felt stripped of their agency and dignity."

Putting these human rights into action

Three young Nigerian women were trafficked to the UK. Once in the country, they were abused and forced to work as unpaid servants in people's homes. They said that the police had failed to investigate their allegations over two and a half years. They took a human rights case against the police to the UK courts. The police argued that it had not been possible to commence an investigation because the three women had not cooperated, but the court rejected this and said that the police did "nothing to commence an effective investigation". The court decided that the police were liable for failing to investigate these credible reports of slavery, servitude or forced labour. The court also said that this failure amounted to a breach of their right to be free from inhuman and degrading treatment.



The right to life

The right to life means that public bodies must not deliberately take steps that could end our life. It also means that public bodies must take reasonable steps to protect our lives if they know or ought to know that our lives are at risk.

Some examples of when your right to life might be at risk include:

- Abuse or neglect in detention, asylum accommodation, or care which leads to death.
- If healthcare staff refuse to give you life-saving treatment because of your immigration status.
- If you tell the police that you think your life is in danger, or that threats have been made against your life, and they fail to act.
- If you express thoughts of suicide to a public authority and they don't take steps to protect you.
- If you go to hospital with serious injuries or signs that your life may be at risk and they do not act.

Can this human right be restricted?

The right to life is an **absolute right**, meaning any limitation on this right is unlawful. This means that public bodies must:

- 1 **Respect** – public authorities must not do anything that could take away your life or put it at risk.
- 2 **Protect** –public authorities should step in to protect you if they know or should know that there is a real and immediate risk to your right to life.
- 3 **Fulfil** –public authorities must investigate when something has gone wrong with your right to life to try and stop this from happening again.

Cases where migrants and asylum seekers struggle to access the correct healthcare due to barriers such as language or discrimination could put their right to life at risk. You can use the Human Rights Act 1998 to take immediate action, and to tell public services that they have an absolute legal duty to protect your, or someone else's life.

This is also true in a medical context, where doctors and nurses should provide the correct medical treatment to someone if their life is at risk, but it also applies if you are at risk of serious harm or death from yourself or from someone else.

AWEF Testimony

"The right to life, fundamental to human existence, is often considered by migrants and refugees in the UK. Many have revealed experiences where essential life-saving services were hard to obtain, potentially putting lives at risk. The difficulty in receiving crucial healthcare not only threatened immediate physical well-being but also instilled a deep-seated fear and insecurity among vulnerable populations.

A particularly harrowing story recounts an incident at a hospital where someone's daughter did not receive medical treatment that she needed in a timely manner. This delay in care not only posed potential life-threatening consequences but also inflicted significant emotional distress on both her and her daughter.

These stories highlight how the right to life is relevant for migrants, instilling a fear in healthcare access and substandard living conditions, emphasizing the urgent need for improved support systems and equal access to life-saving services."

Other Rights

The testimony above is relevant to the right to life, but it is also relevant to the right to be free from inhuman and degrading treatment as not receiving the correct medical treatment could result in serious mental or physical harm which can be inhuman and degrading.

Putting these human rights into action

Chuma is from Zimbabwe and had sought asylum in the UK over 10 years ago, but his application had been rejected. Chuma made a serious attempt to end his life by drinking two bottles of caustic soda in a hotel room. He had claimed asylum due to persecution as he was a member of the opposition party in Zimbabwe but following failed appeals had remained in the country illegally. Following his suicide attempt, Chuma was admitted to hospital for treatment under the Mental Health Act (MHA). He kept saying he didn't want to live and was assessed as likely to try and end his life again. However, because of his immigration status, hospital authorities decided not to grant him entitlement to free aftercare in accordance with the MHA (this provides support to a person once they are discharged from hospital). Chuma's social worker, Joy, who was part of a BIHR programme to support frontline workers make best use of the Human Rights Act, spoke with hospital about Chuma's right to life and the positive obligations to protect him from harm and safeguard his rights. Following discussions, Joy was successful in ensuring Chuma had access to aftercare support when he was discharged from hospital.

Steps to help you identify possible human rights concerns

Identify the issue

If you feel like your rights are not being respected by a public authority, think about or write down:

- What is the issue you are facing?
- What happened to you, when and where?
- How has it affected you and what is the impact on you?
- Has a public authority made a decision or are they involved in the situation?

Identify the human rights

You can also think about which of your human rights may be affected by a decision a public authority has made.

- There may be more than one right that is relevant to your situation.
- Is it an absolute or non-absolute right? Can it be limited lawfully?
- If the right is absolute, action must be taken as this right can never be lawfully limited.
- If it is non-absolute, ask the public authority to show you how the limitation is lawful, for a good reason, and proportionate (was it the least restrictive option available?)

What you can do next

If it is non-urgent – You can do the following

- **Raise the issue with the relevant public authority** – It can be helpful to raise the issue by speaking to the public authority who has made the decision, such as a social worker, to let them know they are not considering your rights.
- **Raise the issue formally – write a letter** – If you are still unable to resolve the issue after speaking to a public authority, you can write a letter either to the same authority or to someone higher up, like a manager. You can say that you might have to take more serious action.
- **Step up your action** – you can seek legal advice or contact citizens advice to take further and more serious action if the issue is still not being resolved.

If it is urgent

- Take immediate action such as contacting emergency services by calling 999.

Other Resources



BIHR have a lot of information about the Human Rights Act on their website:

- Information about all the rights in the Human Rights Act
- BIHR Human Rights Info Hub
- BIHR Easy Read Human Rights Info Hub
- BIHR Know Your Human Rights online tool for women survivors of domestic abuse
- BIHR have a range of resources that you can download from our website here.



Further support:

Citizens Advice Bureau – Citizens Advice provides advice in person, over the phone and via email and web chat

Tel: 0800 144 8848 Mon – Friday, 9am to 5pm

Women’s Aid – Women’s Aid provide information and support about domestic abuse

helpline@womensaid.org.uk

The Parliamentary and Health Service Ombudsman – The Parliamentary and Health Service Ombudsman looks into complaints that have not been resolved by the NHS in England and UK government departments and other UK public organisations.

Tel: 0345 015 4033 Mon – Thurs, 8.30am to 5pm, Fri, 8.30am to 12pm

The Local Government and Social Care Ombudsman – The Local Government and Social Care Ombudsman looks into complaints about councils all adult social care providers (including care homes and home care agencies) and some other organisations providing local public services.

Tel: 0300 061 0614 Mon – Fri 10am to 4pm

Care Quality Commission (CQC) – The Care Quality Commission is an independent organisation which makes sure health and social care services in England are providing a good service and are meeting national standards

Tel: 03000 616161 enquiries@cqc.org.uk

Law Centres Network – Law Centres provide free and independent legal advice to people who cannot afford a lawyer. The network does not provide legal advice itself but can provide contact details for your nearest centre.

Tel: 020 3637 1330