



24th February 2021

Submission to the IHRAR

Dear Sirs,

I am very pleased that the IHRAR has been established.

My submission concerns Theme 2.

- 1) Our UK human rights were acquired over a very long time and at much cost in terms of pain and blood.
- 2) Not for a moment would I advocate a reduction in those rights.
- 3) For me, and I suggest for many in the UK, the problems with the Human Rights Act (HRA) which have occurred in recent years, highlighted by the media and the press in particular, is its unbalanced nature.
- 4) It is this unbalance and the unease that has gradually built up which is the main reason why the IHRAR has been set up, I suggest.
- 5) What is the source of this imbalance? It derives from the Act only concerning itself with Rights of the individual. This has led to the judiciary being overly constrained in their actions in applying the Act.
- 6) The population have reacted to some of decisions with a wide range of concerns. I suggest that this is because my fellow citizens instinctively know that rights swim in the wider sea of society and are not islands alone unto themselves.

- 7) These wider aspects are privileges, duties and responsibilities.
- 8) In addition to our rights, there are many privileges available within our good ordered society. The most obvious is the granting of a British Passport.
- 9) I suggest to the IHRAR that they extend the HRA to include Privileges and then to assign relevant duties and responsibilities to both Rights and privileges.
- 10) At a stroke this will give the Judiciary the ability to consider the full range of circumstances of each particular case and then to strike the correct balance between the individuals involved and society as a whole.
- 11) Over a period of time, case law precedents would be built up, rather like the Common Law, and then a clear balance would emerge between the individual and wider society. I trust the Judiciary. Give them the tools and they will do the job for the benefit of everyone.

I hope my submission is of assistance to the IHRAR, and I look forward to seeing the results therefrom concerning **Rights, Duties, Privileges and Responsibilities**.

I have deliberately not offered my thoughts as to what the relationships should be in respect of these 4 aspects because my instincts as a lay person are very likely to be unsubtle and limited.

My expectation is that the considerations of the IHRAR are going to be very nuanced and well thought through in order to lay the basis for a much revised or replacement of the HRA.

I wish you well in your important deliberations.

Yours faithfully

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