

Response to the Independent Human Rights Act Review by the West Yorkshire Network of the British Association of Social Workers

We are a network of social workers working or living in West Yorkshire, connected by the British Association of Social Workers (BASW). The network is composed of social workers who work directly with children, families and adults, as well as social work students and educators. We strongly believe that the Human Rights Act (HRA) is central to our professional identity and we want to share our experiences with this review to ensure our voices, and the voices of those we support, are heard.

A survey of our members was conducted to establish how we feel about the HRA.

100% of respondents said the HRA, with its current rights and legal duties to uphold them, was important to them. Everyone said the HRA is important for themselves and the people they care about as it helps them raise concerns with public bodies when they feel their rights are not being upheld. 100% of respondents also said that as a staff member in a public authority, the HRA helps them to ensure the rights of the people accessing their support are protected.

Why the HRA is important to us

"The HRA, for me, is about giving me assurance that no government will stray too far into places I feel it shouldn't be."

"Without the HRA there is a risk that respect for human rights will fall away and everyone will inevitably be worse off."

"The Human Rights Act is rooted in social justice and enables social workers to challenge public body decision making that affects individuals, families and communities."

Almost 80% of respondents said they have used the HRA for positive change, and those who had not used it in their practice were aware of it being used by others for positive change. Those who had used the HRA all said it had helped them to change decisions or policies that support people in their everyday lives. Our network members talked about Articles 3, 5 and 8 being particularly important to their work. They said the HRA has helped them to prevent people being moved from their homes, keep families together and lessen restrictions on people's freedom.

Everyone who responded to the survey said they are worried that there will be less protection of rights if the Government makes changes to the HRA following this review in the current context.

Our message for the Independent HRA Review

"It is unclear what the motivation is for this review."

"I don't see the need to alter [the HRA] in any way shape or form."

"The Human Rights Act is the effective legal remedy for the risk to or abuse of rights. The Articles within the Act successfully ensure families remain together and that state interference has to be justified and can be challenged by individuals if they object."

"The HRA works well and it is an essential piece of legislation."

We ask that the Review recognises that the HRA in its current form should not be diluted, and strongly communicates this to the Government. For social workers, the HRA is fundamental. Any weakening of the protection it offers people would be a failure of this Government to care for its citizens.