

Scheme of work: Human rights

This scheme of work suggests how to deliver the human rights section of our A-level Law specification (7162).

3.5 Human rights

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| Week | Specification content and skills | Activities and resources | Notes |
| 1 | Introduction to human rights:   * theory of human rights * human rights in international law. | * Identify and explain theories of rights. * Compare and contrast rights and liberties. * Describe the historical and international context of human rights law. | * Discuss and explore how far fundamental human rights should extend. * Consider possible rights such as a clean environment, a good education and a minimum income. |
| 2 | Human rights and the United Kingdom:   * the position before the enactment of the Human Rights Act 1998 (HRA 1998) * the position after the enactment of the Human Rights Act 1998. | * Describe the pre-HRA 1998 impact of the European Convention on Human Rights (the Convention). * Explain the method of incorporation of the Convention into the law of the United Kingdom. * Analyse the impact of incorporation of the Convention on the law and constitution of the United Kingdom. | * Evaluate the notion of human rights. * Access the websites of organisations that campaign for human rights and consider how they see their aims and objectives. |
| 3 | The right to life:   * Article 2 * justified exceptions. | * Explain the scope of Article 2. * Analyse and illustrate the extent of the exceptions. * Look at this [recent article on choosing where one's child is born](https://rightsinfo.org/do-i-have-a-right-to-choose-how-my-child-is-born/) in relation to Article 2. | * Consider the positive duty to protect life. * Consider when (perhaps using a media story) a householder can take violent steps to defend themselves against an intruder. |
| 4 | The right to life in English law:   * criminal and civil liability * obligations of the State to protect life and investigate death. | * Identify and explain the criminal and civil rules of English law relating to the prevention of death. * Analyse the extent of the State’s obligations to protect life and investigate death. | * Discuss instances when the right to life conflicts with the practices of some societies (contraception, abortion, death penalty). * Find a media story (perhaps an opinion piece or an account of someone’s experiences) and consider the issues raised. |
| 5 | The right to liberty and security:   * Article 5 * justified deprivations of liberty * additional requirements necessary to justify deprivation of liberty. | * Explain the scope of Article 5. * Describe and illustrate the circumstances in which liberty can be removed. * Analyse the extent of the additional protections in Article 5. | * Explore remedies available to a claimant. * Draw-up a table illustrating the key court decisions relating to Article 5. |
| 6 | The right to liberty and security –  provisions in English law to protect liberty | * Identify how English law protects the liberty and security of a person. * Examine the role of the courts and of civil remedies in protecting liberty. | * Consider how the Convention and English provisions interact with one another. * Look at provisions relating to police powers and consider how they reflect Article 5. |
| 7 | The right to privacy:   * Article 8 * the State’s obligations and duties. | * Explain the nature of Article 8. * Analyse and illustrate the meaning of private life, family life, home and correspondence. * Go onto the following [Liberty human rights website](https://www.liberty-human-rights.org.uk/human-rights/what-are-human-rights/human-rights-act/article-8-right-private-and-family-life) to investigate Article 8. You can also use this website to look at other Articles. | * Discuss issues relating to ‘private life’, such as gender and personal information. * Find a media story where someone’s privacy has been breached. Consider the issues raised by the story. |
| 8 | The right to privacy:   * restrictions contained in Article 8.2 * provisions in English law. | * Identify and explain when the right in Article 8 can be restricted. * Explain the criminal and civil protections in English law. * Look at the following case:   R (T) v HM Senior Coroner [2017] –  D gave birth to a baby girl. 10 days after the birth T attended her local A&E with a shoebox containing the body of the baby. It was clear that death had occurred sometime before. T alleged to the police that she had been raped. This turned out to be untrue. One issue regarding the subsequent inquest was whether T was entitled to anonymity under Articles 2 and 8. | * Consider the difference between informational privacy and physical privacy. * Consider the approach of English law to issues impacting on privacy, such as euthanasia and surveillance. |
| 9 | The right to freedom of expression:   * Article 10 * opinions and information. | * Explain the scope of Article 10. * Analyse the State’s obligations relating to opinions and to receiving and communicating information and ideas. | * Consider the role of the law in regulating media coverage of celebrities and their private lives. * Consider the extent to which national security should be allowed to prevent a person from publishing material. |
| 10 | The right to freedom of expression:   * restrictions contained in Article 10.2 * provisions in English law. | * Identify and explain the circumstances in which the right defined in Article 10 can be restricted. * Analyse the extent to which English civil and criminal law protect freedom of expression. | * Discuss English provisions which impact on freedom of expression, such as defamation. * Given the rules on defamation: can you publish what is true or only what you can prove to be true? |
| 11 | The right to association:   * Article 11 * peaceful assembly and freedom of association. | * Explain the scope of Article 11. * Analyse and illustrate the State’s obligations to protect assembly and association. | * Consider the circumstances in which the state can proscribe a political party or other organisation. * Construct a list of organisations that might be affected by these provisions. |
| 12 | The right to association:   * restrictions contained in Article 11.2 * provisions in English law. | * Identify and explain when the right in Article 11 can be restricted. * Explain and illustrate the English civil and criminal provisions which impact on assembly and association. | * Consider police powers in statute law. * Consider the role of the common law in this area. |
| 13 | Enforcement of human rights:   * claims before the European Court of Human Rights * claims before domestic courts * the role of judicial review. | * Describe the process for bringing an action to enforce human rights. * Identify and analyse remedies for claimants and enforcement against states. | * Link the material on judicial review to elements of the English legal system, such as statutory interpretation and the court system. * Link this topic to the material on balancing conflicting interests in the English legal system. |