

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.
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| 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.
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| 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.
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| 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.
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| 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.
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| 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.
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| 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.
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| 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.
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| 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.
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| 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?
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| 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.
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| 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.
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| 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.
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