**Quakers in Britain**

**Response to consultation on Human Rights Act reform**

**About us**

1. Quakers in Britain is a national church supporting thousands of Quakers across England, Scotland and Wales. It is also a charity, working for positive change in areas such as climate justice, peace and disarmament, and human rights.
2. Quakers are one of the historical ‘Peace Churches’ and committed to working for equality, truth and justice. As Quakers we have a long history of speaking truth to power. For us this is a matter of faith. We resist the corrosive politics of division and are reminded to love our neighbours as ourselves, to meet one another on kinder ground and to recognise and acknowledge that of God in each other. This calls on us to speak truth in all circumstances and uphold our common humanity.
3. The [Quaker statement on migration](https://quno.org/sites/default/files/timeline/files/2020/AQuakerStatementOnMigration.Final_.pdf) sets out our commitment to working for a world where dignity and rights are upheld regardless of migration status and not on the basis of citizenship or perceived deservedness. Quakers in Britain supports a network of over a hundred Quaker meetings that have made a commitment to become ‘sanctuary meetings’. They are engaged in practical work to build a culture of welcome towards newcomers to Britain, challenge racism in all its forms, and campaign to change the laws on destitution, detention and deportation. Our response on the areas of the consultation that touch on migrant rights is informed by this standpoint and work.

**Erosion of human rights**

1. In recent years, the Government has introduced a number of Bills that will erode the framework of human rights in the UK. We have been vocal in our response to these.
2. In May 2021, we submitted a response to the Government’s consultation on a New Plan for Immigration highlighting our concerns on how the proposals would increase hostility towards those seeking asylum and other people from migrant backgrounds. In partnership with the Quaker Asylum and Refugee Network, we also submitted a response to the Joint Commission for Human Right’s consultation on the Nationality and Borders Bill (NBB) in October 2021. We believe the NBB contains a fundamental challenge to equal treatment of the displaced and vulnerable. This concern is shared by a number of national and international organisations, including the United Nations Refugee Agency – the UNHCR – which has stated the Bill would undermine, not promote, the Government’s stated goal of improving protection for those at risk of persecution.
3. Quakers in Britain also co-convenes a Civil Society Voice network which has been tracking the erosion of civil liberties and democracy. A central part of our work on this has involved scrutiny of the Police, Crime, Sentencing and Courts Bill (PCSCB). We oppose almost everything in the PCSCB as it includes many measures that go against Quaker values of equality, integrity, justice and peace. These include attacks on fundamental pillars of our democracy, such as the freedom of assembly and the protection of minorities through lengthening sentences, expanding stop-and-search powers, restricting protest, and criminalising trespass.
4. We believe the proposed reforms to the Human Rights Act sit alongside these Bills in eroding the framework of human rights in the UK. We submitted a response to the Government’s Independent Human Rights Act Review (IHRAR) in December 2021 highlighting our concerns about this, many of which we now repeat because much of the consultation has failed to take into account the IHRAR findings.
5. We reject the underlying assumption in the consultation that there has been an expansion and inflation of human rights without sufficient oversight. This view fails to take into account the many examples and personal stories that demonstrate how the current Human Rights Act has supported people to challenge injustice and abuse of power. We note the consultation has also been structured in a way that prevents these examples and stories from being included in responses.

**Human rights are universal, not rewards**

1. A core belief of Quaker faith is that there is ‘that of God’ in everyone. We believe that every human being is a child of God and deserves dignity and compassion, regardless of what they have done or where they are from. This principle of universality is not just a Quaker belief. It also underpins all human rights laws, including our Human Rights Act (HRA). Human rights laws are based on the idea that every person has the same human rights - because they are human. The rights in the HRA make this clear; each one starts with the word “everyone”.
2. As we already outlined in our response to the IHRAR, we are consequently troubled by the government's plans to link human rights to perceived good conduct (section 27 of the consultation). This means that people convicted of a crime, particularly those who are not UK citizens, could have their rights violated with impunity because they are seen to have committed wrongdoing.
3. Believing there is that of God in everyone calls on us to look with creative, loving imagination at the condition of every human being. This includes listening to what they say, and the words they choose to say it, and also listening for what they do not or cannot say. This last point is particularly important because there are many reasons people are led to crime, not least because of systemic factors we are all complicit in, such as structural racism, the Hostile Environment and unequal rights to employment and basic living conditions in the UK. The consultation fails to address the role of these factors.
4. Coupled with various pieces of legislation the government is trying to pass, such as the NBB, the PCSCB and others, these proposals to remove the universality of human rights will weaken the fabric of our democracy.

**Unequal access to justice and migrant rights**

1. Linked to this, we reject the consultation’s proposals to reduce access to justice and to make a distinction between who can make claims by introducing an additional permission stage on top of section 7 of the HRA (sections 8 and 9 of the consultation). The cost implications of additional barriers to justice will fall heaviest on the same marginalised communities who are most in need of protection by human rights law.
2. One example of how this could be problematic is removals, which are referred to in sections 24 and 25 of the consultation. We believe the government’s current approach to removals is already inhumane and the consultation’s proposals will make it more so. Many people who the Home Office has decided to remove have later been found to have a legitimate claim to remain in the UK. For example, one of the people put on a deportation flight in March 2017 has talked publicly about how their wrongful deportation was only prevented by human rights defenders (including a Quaker).
3. The consultation talks at length about the need to strengthen the case for removals in the public interest on the basis that many people due to be removed are ‘criminals’. However, this distinguishes asylum seekers and migrants as not being entitled to same universal human rights as everyone else. People who have a right to remain in the UK and who have committed a crime should be treated like anyone else who has the right to remain in the UK. They should be supported to rehabilitate and re-integrate into their community. They should not be punished further by being returned to a country in which they may not be safe.
4. This example illustrates how you cannot reform human rights without looking at the wider systemic factors at play. An inhumane asylum system leads to human rights breaches and injustice, such as wrongful deportations. Instead, if the Government were to reform the asylum system so that it is compassionate and humane, this would give people the best opportunity to prove their claim. Which in turn would allow a preventative approach that reduced the number of human rights cases that came before the courts.

**Conclusion**

1. At their core, human rights are about how we treat people. They recognise there are some things people are entitled to just because they're human, and that there are some things it is never okay to do to people. They must be seen as universal and inherent to all people, because we are all human.
2. The comments above outline why we are deeply critical of the proposals to reform the Human Rights Act on the grounds they will erode human rights – removing the universality of human rights and introducing inequalities in access to justice. The current Human Rights Act is not perfect, but it offers substantially better protection of human rights than the proposals to reform it will.
3. Our vision is to work together to build a fair, just and compassionate society, one in which we seek to address the root problems that undermine human rights, rather than taking a heavy hand to policing the symptoms of those problems.