

## What are Human Rights?

Human rights are something we all have no matter who we are, how old we are, or where we've come from. They are protected by law in **The Human Rights Act 1998**. We have 16 rights in the act, also known as the HRA.

## Who must look after our Human Rights?

**The HRA places a legal duty on public authorities to respect, protect, and fulfil** our human rights in all of their actions. Public authorities are people who work for the government, for example: **Police, social housing providers, NHS staff or Local Councils**

Public authorities **must not do anything to limit our rights**, must **step in if they know our rights are at risk**, and **investigate if our rights have been impacted**.

## Can our rights ever be taken away?

**Public authorities can never lawfully take away our human rights**, however they can sometimes limit them.

Some human rights in the HRA are **absolute rights**, meaning they can never be limited. However most of the rights are **non-absolute rights**, which means they can be limited so long as the public authority can show that the limitation is:

- **Lawful** – There must be a law that allows public authorities to limit a right.
- **Legitimate** – Public authorities must have a good reason for limiting our rights, such as keeping us safe.
- **Proportionate** – It must be the only option available, i.e. it must be the most rights respecting decision possible.

## Article 8 – The right to respect for private and family life, home and correspondence



This right is about living your own life, having different types of relationships, and communicating with others, it protects your:

- **Privacy and private information**
- **Physical and mental wellbeing**
- **Relationships with friends and family**
- **Ability to be part of a community**
- **Enjoyment of your home**
- **Ability to make decisions about your own life.**

This is a **non-absolute** right, which means public authorities can lawfully limit this right as long as that decision is **lawful, legitimate, and proportionate**.

## Article 14 – The right to be free from discrimination



This right is about making sure that **everyone can enjoy their human rights equally**. Our enjoyment of our human rights should not be affected because of who we are.

Discrimination is **where you are treated worse than others because of something about yourself, or not being treated differently when you are in a very different situation to others**.

Not all differences of treatment are discrimination. **Sometimes we need different treatment to make sure human rights are protected**. For example, a young autistic person may need different support to other young people to protect wellbeing.

## Talking about your human rights

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- Talk about **a decision or action that is affecting you** and or your peers.
  - Talk about the **impact** this will have on you and or your peers.
  - Talk about **which rights may apply**. E.g. your right to your physical safety or your privacy.
  - Talk about **your right to have a say over decisions that impact you** (Article 8).

## Why are human rights important to me?

- You have a **legal right to have a say over decisions made by public authorities that impact your lives**.
- If you feel as though your voice is not being heard, you can **challenge this by asking public bodies to show how they have thought about your rights**. You could do this by writing them a letter or email, or by arranging a meeting with them to discuss this.
- If your voice isn't being heard or respected because of your age**, it is possible that your right to be free from discrimination which is protected by Article 14 of the Human Rights Act is at risk.

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## Top tips: Using Human Rights

- If your friends have any issues, **talk to them about how they are impacted**.
- Find out which public authority is in charge of that issue** e.g. the council or your housing association. For example, if your community space is not safe, the council may need to take action to protect your physical wellbeing.
- Identify **which human rights could apply to any concerns young people may have**. For example, Article 8 gives us a right to have privacy and to be part of a community.
- When speaking to public authorities about your concerns, **talk about your human rights**. It doesn't matter if you get the words wrong, you have a right to raise your views.
- Remember: **If you think you are not being listened to because you are young, or for another reason, e.g. your race, religion, or sexual orientation**, this could be a risk to your right to be free from discrimination.

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