

**'Time to Act for the human rights of people with learning difficulties'
Values Into Action annual conference 2005**

Keynote speech delivered by Francesca Klug
Brady Arts Centre, London, 7 October 2005

Keynote speech at 'Time to Act for the human rights of people with learning difficulties', Values Into Action annual conference 2005. This conference was attended by people with learning difficulties, their carers, advocacy groups and professionals.

The name of this conference is 'Time to Act'. The name of the conference *organisers* is Values Into Action. I say its time to act to put values into action.

That is what the Human Rights Act (HRA) is all about. It is our Bill of Rights – a bill of rights which is all about putting values into practice. Values about right and wrong, good and bad, individual freedom and the responsibilities of us all to each other and to the community in which we live. These values and these rights are for us all. They are about us all.

The word everyone is probably the most commonly used word in the HRA. Everyone has a right to liberty, to security, to marry, to a fair trial and so on. But down the centuries many individuals and groups have discovered that 'everyone' did not include them. They have had to fight for their rights or they may have been told they have equal rights in law but in practice they have been denied them. These are the people who have inspired us are they not?

People like Emily Pankhurst who with the suffragettes fought for women's rights and who said in 1914:

"Women had always fought for men and for their children. Now they were ready to fight for their own human rights."

People like Martin Luther King who said in 1963:

"I have a dream that my four little children will one day live in a nation where they will not be judged by the colour of their skin but by the content of their character".

This week, I went to a marvellous event to celebrate the 5th birthday of the HRA. It was a wonderful birthday party. Children and young people from schools and youth clubs all around the country put on plays or read poems or showed films they had made about the values in the HRA, about putting these values into action.

Everyone agreed that the best and most moving performance was by a special school for children with learning difficulties who danced to a rap of Martin Luther King's words that I have just read to you.

I think what we all found moving and wonderful about this was not just listening to the famous, stirring words of Martin Luther King about equality for all, black and white, but that everyone knew what these children were saying through choosing Martin Luther King's speech to rap to. They were saying that the Human Rights Act has told us that we *all* have equal rights and that includes us.

Let's look at what this might mean in practice, what the rights in the HRA tell us about our lives.

Article 2, the right to life: the government should protect you from threats to your life and provide you with necessary medicines and health care to allow you to live.

Just this week a woman who was very ill got the medicine she needed because of her right to life under the HRA. The government was so worried she would take a case against them because she was being refused new medicine for breast cancer that was very expensive that they gave in and now everyone who needs it can have it.

Article 3, freedom from torture or inhuman or degrading treatment: no-one is ever allowed to punish you in a cruel way. You are entitled to be treated with dignity and respect.

I have been looking through the some of the fantastic material that the Values Into Action project has produced and have noticed that sometimes people are bullied or roughly punished in schools, day centres and residential care homes. Under the HRA the government has a duty to prevent this, to make sure the inspections they carry out of the places you live or spend a lot of time in find out about any bullying or harassment and stop it. You have a right and a duty to complain if this is happening to you. Tell any carer or teacher who is doing this to you or to someone you know, "you are breaching my rights under the HRA and I can take you to court if you don't stop it". I bet they won't do it any more. Or complain to the head of the day centre, or school or home if they won't stop.

Article 8, right to a private life: everyone is entitled to a private and family life, to privacy at home and in communicating with others. We should all have the freedom to decide how to live our lives provided we don't harm or interfere with others people's rights.

One of the most interesting and inspiring things I have ever done is attend a workshop, nearly five years ago, on 'The Easy Guide to the HRA' for people with learning difficulties and their carers. There I learnt that some adults had to ask permission to go

to the toilet in day centres, even if they were able to go by themselves, and were sometimes refused and had to wait hours in great discomfort.

We talked about how the right to privacy under the HRA should mean that this should not be happening and can be very embarrassing and that carers and assistants should be trained to understand what respect for private life means.

But we also discussed that most rights, like the right to privacy, cannot apply in all situations and need to take account of other people's rights. For example, if people need help to go to the toilet they may have to wait sometimes as carers may have a lot of people to help at the same time. This produced a very interesting discussion between the disabled people at the workshop and their carers about what it is fair to ask of each other.

Article 10, freedom of expression: everyone is entitled to their own opinions and to speak their minds. They should be able to receive information and give and take ideas from others provided they act responsibly and do not say things about other people that are untrue or encourage others to hate people because of their race or religion etc.

This right means that when we feel our rights and needs are being ignored we must have a right to speak out without being frightened that we will be treated badly or have privileges taken away from us as a result. But again this right carries with it a responsibility on us all not to use our freedom of speech to hurt others because they are different from us or to make up lies about each other.

Article 14, freedom from discrimination: all these rights should be available to everyone whatever their race, religion, nationality, sex or disability etc.

And this takes us back to where we belong. That all of us have rights and that because we are men or women, black or white, able bodied or disabled we are all entitled to equal rights. That means we should not be prevented from doing things just because we are different. And it might also mean the government has to make sure our special needs are provided for so that we can exercise our rights in practice.

A court case under the HRA, for example, has said that a disabled woman had her human rights violated because she could not look after her family because her flat had not been adapted for her by the local council. In another case the human rights court in Europe said prisons must make special arrangements for disabled people to be as comfortable as anyone else even if they are in prison for a very short time.

But sometimes it is not discrimination that is our main problem as human beings is it? Sometimes it is being treated with a lack of respect, a lack of dignity, a lack of kindness.

The Human Rights Act – our bill of rights – is there to remind us that we are all entitled to respect, to dignity, to fair and equal treatment.

Throughout history people have only gained rights when they have demanded them.

They have only been treated with dignity and respect when they have refused to be treated any other way. Bills of rights like the HRA not only tell us what our legal rights and responsibilities are but they also inspire us to speak out and demand to be treated equally, with respect and with dignity.

This is what Nelson Mandela showed us, the first president of South Africa who spent 37 years in prison for fighting against his country's laws which denied equal rights to black people and kept them apart.

When the Universal Declaration of Human Rights was written by the United Nations in 1948, apartheid – a terrible system of separate and unequal lives – had just been introduced in South Africa. The Universal Declaration was the first bill of rights for the whole world – written as a response to the terrible events of WWII. Its first article begins: "all human beings are born free and equal in dignity and rights".

Speaking of the first moment when he heard of the declaration Mandela said:

"for all the opponents of apartheid the simple and noble words of the Universal Declaration were a sudden ray of hope at one of our darkest moments. During the many years that followed, this document...served as a shining beacon and an inspiration to many millions of South Africans. It was proof that they were not alone but part of a global movement...for human rights and peace and justice."

You too are part of that great global movement. I hope that the Human Rights Act will help you to speak out. To say it's time to act. Time to put values into action.

Thank you for listening.